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Case #2014-085

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Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division: Internal Affairs

Approved By: ████████████████████ # 9278 Date of Report: May 22, 2014

**San Diego Police Department
Investigator's Report**

Date of Incident: [REDACTED]
Time of Incident: [REDACTED]
Location of Incident: [REDACTED], San Diego, California
Subject: Internal Investigation I.A. #2014-085

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

COMPLAINANT: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

SUBJECT OFFICER: MONCRIEF, Donald V., PO-II, ID 6388
Date of Hire: 07-20-2007
[REDACTED]
S.D.P.D., Southern Division - Third Watch
(619) 424-0400 (W)
H/M, DOB: [REDACTED]


Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: May 22, 2014

SUMMARY:

On February 12, 2014, [REDACTED] was interviewed by San Diego Police Sex Crimes Detective Leslie ALBRECHT, ID 4517, and Detective Sergeant Matthew DOBBS, ID 5228.

[REDACTED] was arrested by Officer Donald MONCRIEF, ID 6388, on [REDACTED] 2013. [REDACTED] alleged, while in police custody, she was sexually assaulted by Officer MONCRIEF. She alleged the assault took place while being transported by Officer MONCRIEF to the Las Colinas Women's Detention Facility located in Santee, California.

During the pendency of this investigation, Officer MONCRIEF submitted his resignation to avoid a compelled administrative interview.

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Approved by:  Date of Report: May 22, 2014

ALLEGATIONS:

1. PROCEDURE

Officer Donald MONCRIEF, ID 6388, failed to search [REDACTED] prior to transporting her.

2. PROCEDURE

Officer Donald MONCRIEF, ID 6388, transported [REDACTED] from Headquarters to the Las Colinas Woman's Detention Facility without the use of handcuffs.

3. CRIMINAL CONDUCT

[REDACTED] alleges she was sexually battered by Officer Donald MONCRIEF, ID 6388, while being transported to the Las Colinas Woman's Detention Facility.

4. CRIMINAL CONDUCT

Officer Donald MONCRIEF, ID 6388, falsely imprisoned [REDACTED] by relieving her of her personal liberty, in that he drove her against her will to multiple unauthorized locations, intentionally diverting from a direct route to the Las Colinas Woman's Detention Facility.

5. PROCEDURE

Officer Donald MONCRIEF, ID 6388, used official information obtained during a police investigation for personal use.

6. PROCEDURE

Officer Donald MONCRIEF, ID 6388, was untruthful during his interview with Sex Crimes.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
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7. PROCEDURE

Officer Donald MONCRIEF, ID 6388, used [REDACTED] as a confidential informant without properly registering her.

8. PROCEDURE

Officer Donald MONCRIEF, ID 6388, violated a direct order by refusing to appear for his appointed interview in regards to this administrative investigation.

9. CONDUCT

Officer Donald MONCRIEF, ID 6388, displayed conduct unbecoming of a San Diego Police officer.

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Approved by: M.W. Date of Report: May 22, 2014

INVESTIGATION:

On April 30, 2014, Lieutenant Bernie COLON, ID 4614, re-assigned Internal Investigation 2014-085 from Sergeant Jeffrey PETERSON, ID 5188, to me for investigation. Sergeant PETERSON gave me the case file. It consisted of Sex Crimes investigation [REDACTED] listing Officer Donald MONCRIEF, ID 6388, as the suspect. Sergeant PETERSON told me an interview with Officer MONCRIEF had been scheduled for May 12, 2014, at 0830 hours, in Internal Affairs. In anticipation of the Internal Affairs interview, Officer MONCRIEF elected to be represented during his interview by both an attorney from the Police Officers' Association and a civil rights attorney. Sergeant PETERSON explained to the attorney's that Officer MONCRIEF was officially ordered to appear for his interview. I reviewed the documents and prepared for Officer MONCRIEF'S interview.

Officer MONCRIEF filed a Claim Against the City of San Diego on April 25, 2014, alleging violations of his rights under the public Safety Officers' Procedural Bill of Right Act, violation of invasion of his privacy violation of his Constitutional rights, and defamation and intentional infliction of emotional distress.

On May 7, 2014, at 0553 hours, I obtained the Human Resources Employee Data sheet for Officer MONCRIEF. I placed a copy in the case file.

On May 9, 2014, at 0634 hours, I received an email from Sex Crimes Detective E. Garrick NUGENT, ID 5349. The email contained cellular telephone records for Officer MONCRIEF. I reviewed the data. I placed a copy in the case file.

On May 12, 2014, at approximately 0900 hours, Attorney Rick PINCKARD of Bobbitt Pinkard and Fields came to the Internal Affairs office and presented me with a signed copy of a resignation letter from Officer MONCRIEF. PINCKARD advised Officer MONCRIEF would not be participating in his ordered administrative interview and would resign his position as a peace officer. I placed a copy in the case file.

On May 15, 2014, at 1129 hours, I checked the Human Resources Employee Data sheet for Officer MONCRIEF. His employment status shows "inactive". I placed a copy in the case file.

All interviews were audio recorded, unless otherwise noted, and the recordings will be maintained with the Internal Affairs file. The statements are "in essence" synopses of the interviews. (For exact and complete details of the interviews, refer to the audio recordings.)

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Approved by:	<u>M.N.</u>	Date of Report:	<u>May 22, 2014</u>		

Complainant Interview: [REDACTED]

On February 12, 2014, [REDACTED] was interviewed by San Diego Police Sex Crimes Detective Leslie ALBRECHT, ID 4517, and Detective Sergeant Matthew DOBBS, ID 5228. See sex crimes investigation [REDACTED] for information.

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Subject Officer Interview: Officer Donald MONCRIEF, ID 6388

Officer Donald MONCRIEF, ID 6388, was interviewed on February 12, 2014, by San Diego Police Sex Crimes Detective Leslie ALBRECHT, ID 4517, and Detective Sergeant Mike HOLDEN, ID 4997. See sex crimes investigation [REDACTED] for his statement.

On May 12, 2014, at approximately 0900 hours, Attorney Rick PINCKARD of Bobbitt Pinkard and Fields came to the Internal Affairs office and presented me with a copy of a resignation letter from Officer MONCRIEF. PINCKARD advised Officer MONCRIEF would not be participating in his ordered administrative interview and terminated his employment with the City of San Diego, San Diego Police Department to avoid giving a compelled statement.

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Approved by: M.N. Date of Report: May 22, 2014

CONCLUSIONS:

1. PROCEDURE - SUSTAINED

Officer Donald MONCRIEF, ID 6388, failed to search [REDACTED] prior to transporting her.

On [REDACTED] Officer Donald MONCRIEF, ID 6388, responded to the port of entry located at 2500 Paseo Internacional per a radio call. [REDACTED] was stopped by Mexican law enforcement attempting to cross the International Border into Mexico in a stolen vehicle. She was returned and taken into custody by United States Customs and Border Protection Agents. The San Diego Police were called to conduct a recovery of the stolen vehicle and to take custody of [REDACTED]

Officer MONCRIEF, who was assigned to the Border Crime Suppression Team, questioned [REDACTED]. He learned [REDACTED] was a Del Sol gang member.

In his arrest report, Officer MONCRIEF wrote:

"Since [REDACTED] is an admitted Del Sol Gang member..."

In Officer MONCRIEF'S Claim Against the City of San Diego, it states:

"When Officer MONCRIEF arrived at the Detention Center, he immediately recognized the subject female as a documented Del Sol Gang Member."

Officer MONCRIEF also learned that ammunition, .38 caliber and 7.62mm, had been recovered in the stolen vehicle [REDACTED] was driving.

In his arrest report, Officer MONCRIEF wrote:

"...Border patrol agents had discovered multiple .38 special rounds inside the truck and 7.62mm casing in the bed of the truck."

Officer MONCRIEF placed [REDACTED] under arrest for a felony crime.

Department Procedure 6.01, VI, A, B (Handcuffing, Restraining Searching, and Transporting Procedures), revised October 25, 2013, states in part:

A. All prisoners shall be carefully checked for weapons.

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B. All prisoners shall be searched prior to being placed in a police car and transported,...

During his interview with Sex Crimes Detective ALBRECHT, Officer MONCRIEF said:

"I never even searched her, or nothing like that. That was all done by jail. I did not do anything like that."

Also during his interview with Sex Crimes Detective ALBRECHT, when asked the question, "You didn't search her before you put her in the car?" Officer MONCRIEF said:

"No, I didn't. Like I said that was done by jail. I mean they gave me all her property and everything. To be honest with you I don't search females. I don't. I don't even do the whole bladed. You know I'm a defensive tactics instructor so I know the whole bladed and everything. I either tell them when I get to Colinas she has not been searched or I ask somebody in the sally port to do it."

Department Policy 9.15, (Performance of Duty Policy), revised January 26, 2004, states in part:

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, or the failure to conform to work standards established for the member's rank, grade or position.

Officer MONCRIEF failed to search [REDACTED] for weapons or contraband prior to placing her in his police vehicle and transporting her to Headquarters and to the Las Colinas Woman's Detention Facility. Officer MONCRIEF was aware [REDACTED] was a Del Sol gang member. It is common knowledge gang members often are in possession of weapons and contraband. Officer MONCRIEF knew [REDACTED] was under arrest for a felony, in that she was the driver of a stolen vehicle. Officer MONCRIEF knew ammunition, both .38 caliber and 7.62mm, were found inside the stolen vehicle [REDACTED] was driving. Officer MONCRIEF states he is a "defensive tactics instructor" and knows how to search someone with a bladed hand. Officer MONCRIEF admits that he does not search females. Officer MONCRIEF'S, inept, lackadaisical attitude towards officer safety is deplorable. By not searching a known gang member, arrested for a felony, who was in a stolen vehicle in which multiple types of ammunition were found, Officer MONCRIEF endangered the life of every law enforcement official that came into near proximity of [REDACTED]. The allegation is **SUSTAINED**.

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2. PROCEDURE - SUSTAINED

Officer Donald MONCRIEF, ID 6388, transported [REDACTED] from Headquarters to the Las Colinas Woman's Detention Facility without the use of handcuffs.

During her interview with Sex Crimes Detective Leslie ALBRECHT, [REDACTED] said Officer Donald MONCRIEF, ID 6388, stopped downtown after leaving the Headquarters building and un-handcuffed her prior to transporting her to the Las Colinas Woman's Detention Facility.

During his interview with Sex Crimes Detective ALBRECHT, Officer MONCRIEF said:

"I un-handcuffed her when we went from Headquarters to The Las Colinas Woman's Detention Facility. I did un-handcuff; and she was in the back un-handcuffed. I told him (Sergeant RIDDLE) that it was a violation I know. But I did un-handcuff her."

In Officer MONCRIEF'S Claim Against the City of San Diego, it states:

"After Officer MONCRIEF prepared the necessary paperwork at Headquarters, he continued to transport Female to Las Colinas. When Female complained about the handcuffs causing her pain and discomfort, he released her from the handcuffs and proceeded to Las Colinas, while Female continued to talk. Officer MONCRIEF understands the un-handcuffing Female violated SDPD policy and procedure..."

Department Procedure 6.01, III (Handcuffing, Restraining Searching, and Transporting Procedures), revised October 25, 2013, states in part:

Handcuffs are an effective security tool that officers should use to their full advantage.

Department Procedure 6.01, V, A (Handcuffing, Restraining Searching, and Transporting Procedures), revised October 25, 2013, states in part:

A. All persons taken into custody shall be handcuffed.

Department Procedure 6.01, V, B (Handcuffing, Restraining Searching, and Transporting Procedures), revised October 25, 2013, states in part:

B. Officers shall apply handcuffs tightly enough to control the subject and shall double lock the handcuffs as soon as practical. Over-tightening the handcuffs shall be avoided. Inserting a fingertip between the handcuffs and the prisoner's wrist will ensure sufficient space and reduce the risk of injury.

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Department Policy 9.15, (Performance of Duty Police), revised January 26, 2004, states in part:

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, or the failure to conform to work standards established for the member's rank, grade or position.

Officer MONCRIEF was transporting [REDACTED] a felony suspect who is a known gang member. [REDACTED] had been arrested in a stolen vehicle in which multiple varieties of ammunition were located. Officer MONCRIEF admittedly did not search [REDACTED]. After transporting the unsearched prisoner into the secured sally port and completing paperwork, Officer MONCRIEF began to transport [REDACTED] to jail. Officer MONCRIEF, stopped downtown and un-handcuffed the female prisoner. Officer MONCRIEF then transported the now unsearched, un-handcuffed prisoner to the Las Colinas Woman's Detention Facility. Officer MONCRIEF'S actions are highly suspicious. His actions also create an extremely dangerous situation for other law enforcement officials. The allegation is **SUSTAINED**.

3. CRIMINAL CONDUCT – NOT SUSTAINED

[REDACTED] alleges she was sexually battered by Officer Donald MONCRIEF, ID 6388, while being transported to the Las Colinas Woman's Detention Facility.

California Penal Code section 243.4 (a) states:

(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

California Penal Code section 149 states:

Every public officer who, under color of authority, without lawful necessity, assaults or beats any person, is punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in a county jail not exceeding one year, or pursuant to subdivision (h) of Section 1170, or by both that fine and imprisonment.

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During his interview with Sex Crimes, Officer MONCRIEF said nothing inappropriate or unusual ever occurred and nothing inappropriate was said. Officer MONCRIEF also said he drove straight to the Las Colinas Woman's Detention Facility without making any other stops. He said he drove a direct route.

During her interview with Sex Crimes, [REDACTED] said Officer Donald MONCRIEF, ID 6388, talked inappropriately to her while at the border. She said Officer MONCRIEF commented about her breasts. While transporting her to Headquarters she said Officer MONCRIEF asked her sexually related questions like how she liked to have sex, and what her favorite position was.

[REDACTED] said when Officer MONCRIEF, transported her from Headquarters to the Las Colinas Woman's Detention Facility he stopped downtown near the freeway onramp and un-handcuffed her.

During his Sex Crimes interview and in his Claim against the City of San Diego, Officer MONCRIEF corroborated [REDACTED] statement when he admitted he stopped after leaving the Headquarters building and un-handcuffed [REDACTED]. Officer MONCRIEF, after saying nothing unusual occurred during the entire contact, admitted to pulling out of the Headquarters parking lot and turning left to take the road (G Street) towards Highway 94, where he stopped and un-handcuffed [REDACTED] stating it was because she was cooperative. Officer MONCRIEF admitted he transported [REDACTED] to the Las Colinas Woman's Detention Facility without being handcuffed.

During her interview with Sex Crimes, [REDACTED] said Officer MONCRIEF asked her to masturbate while they drove to the Las Colinas Woman's Detention Facility. She said he told her to play with herself and said he would play with himself. She said Officer MONCRIEF talked about having sex with her and how he would do it. [REDACTED] said she scooted over and pretended to masturbate. [REDACTED] said he turned on the lights and slowed down so he could try and look at her. [REDACTED] said she could hear Officer MONCRIEF playing with himself and saw his penis.

California Penal Code section 314.1 states:

Every person who willfully and lewdly, either:

1. Exposes his person, or the private parts thereof, in any public place, or in any place where there are present other persons to be offended or annoyed thereby;

During his Sex Crimes interview, after saying nothing unusual or inappropriate occurred, Officer MONCRIEF, after being told his story did not make sense, said at one point while talking to [REDACTED] about gangs, he heard her breathing heavy. He asked what she was doing, and [REDACTED] said she had never masturbated in the back of a police car. Officer MONCRIEF said [REDACTED] was making noise like she was masturbating. Again, Officer MONCRIEF corroborated [REDACTED] statement about masturbation occurring in the police car. Officer MONCRIEF said he did not masturbate.

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During her interview with Sex Crimes, ██████ said she was pretty sure Officer MONCRIEF ejaculated while driving because he said he was all wet and made a statement similar to, damn you made me get it all over myself. She also alleged he had his penis out when he leaned over her in the backseat of the car when he was going to re-handcuff her.

A presumptive test showed positive results for semen on a stain in the driver's compartment of the police vehicle, and on a stain on the backseat rear cage of the police vehicle.

During her interview with Sex Crimes, ██████ said Officer MONCRIEF did not drive directly to The Las Colinas Woman's Detention Facility, but instead drove into a neighborhood. She said he stopped in several different locations. She said Officer MONCRIEF stopped to put the handcuffs back on her. ██████ said Officer MONCRIEF opened the backdoor and leaned in over her. He had his penis out and started making himself erect. She said Officer MONCRIEF kissed her. She said Officer MONCRIEF lifted her shirt and kissed her breasts, skin to skin. She said he then asked her for sex stating, "I can't wait to put it in you. Can we do it right now?" She told him no. She then said Officer MONCRIEF asked her to kiss it. She again told him no. ██████ said Officer MONCRIEF placed his penis back in his pants and told her he was going to take her in now and re-handcuffed her.

During his Sex Crimes interview, Officer MONCRIEF, after being repeatedly confronted with AVL information, admitted he did divert from a direct route to The Las Colinas Woman's Detention Facility, and parked in the nearby neighborhood to re-handcuff ██████. Officer MONCRIEF had no reasonable explanation for why he would have driven a masturbating female prisoner to a remote location to re-handcuff her. The only explanation he offered is that he did not want to be seen re-handcuffing ██████ by other "black and whites" driving to The Las Colinas Woman's Detention Facility. Officer MONCRIEF denies all of the sexual allegations and only admits to stopping in one location. Officer MONCRIEF'S statement corroborated ██████ claim he diverted from a direct route and stopped prior to going to The Las Colinas Woman's Detention Facility. The AVL data confirms ██████ claim that Officer MONCRIEF stopped in multiple locations.

During her interview with Sex Crimes, ██████ said Officer MONCRIEF lost the paperwork necessary to book her. She said he drove back to the area they first parked and looked for it. She said he telephoned someone and asked what he should do.

During his Sex Crimes interview, Officer MONCRIEF confirmed he lost the declaration. He said he drove away from the gate at the Las Colinas Woman's Detention Facility to look for it, and that he telephoned a sergeant to see what he should do.

██████ allegations that Officer MONCRIEF stopped downtown to un-handcuff her prior to transporting her to the Las Colinas Woman's Detention Facility, that masturbation occurred in the police vehicle on the way to the Las Colinas Woman's Detention Facility, and that Officer MONCRIEF diverted from a direct route and parked in a nearby neighborhood, driving to multiple different locations, and the fact Officer MONCRIEF lost the paperwork necessary for booking have all been found to be truthful.

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Officer MONCRIEF'S statements that nothing unusual happened during his contact with [REDACTED] and that nothing inappropriate occurred during his contact with [REDACTED] and that he drove directly to the Las Colinas Woman's Detention Facility, all proved to be untrue. Officer MONCRIEF was also deceptive about un-handcuffing [REDACTED] withholding the information, while stating nothing unusual occurred. He later stated he has never un-handcuffed a prisoner before.

[REDACTED] provided factual information that was corroborated by Officer MONCRIEF and AVL. Officer MONCRIEF was deceptive and evasive when interviewed by Sex Crimes. Officer MONCRIEF elected to terminate employment with the San Diego Police Department to avoid giving a compelled statement during an ordered administrative Internal Affairs interview. While Officer MONCRIEF'S actions are highly suspect, without his compelled statement or other corroborating evidence, his actions regarding the sexual battery allegations cannot be confirmed. The allegation is **NOT-SUSTAINED**.

4. CRIMINAL CONDUCT - SUSTAINED

Officer Donald MONCRIEF, ID 6388, falsely imprisoned [REDACTED] by relieving her of her personal liberty, in that he drove her against her will to multiple unauthorized locations, intentionally diverting from a direct route to the Las Colinas Woman's Detention Facility.

California Penal Code Section 236 states:

False imprisonment is the unlawful violation of the personal liberty of another.

Department Procedure 6.01, XIV, A (Handcuffing, Restraining Searching, and Transporting Procedures), revised October 25, 2013, states in part:

A. In-custody prisoners shall be processed and booked as promptly as possible, consistent with proper investigative procedures. Unreasonable delays shall be avoided.

Officer Donald MONCRIEF, ID 6388, arrested [REDACTED] and took custody of her.

Officer Donald MONCRIEF, ID 6388, drove [REDACTED] from the Headquarters building to the Las Colinas Woman's Detention Facility. He diverted from a direct course by stopping on a freeway onramp to un-handcuff [REDACTED] Officer MONCRIEF had no proper or justifiable reason for stopping and un-handcuffing [REDACTED]

From the AVL it was determined, that once driving to the area of the Las Colinas Woman's Detention Facility, Officer MONCRIEF drove past Cottonwood Avenue and continued on Mission Gorge Road until he reached North Magnolia Avenue. He then made a U-turn and drove to 4th Street and Park

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Avenue, stopping at the intersection for several minutes. Officer MONCRIEF then drives from the neighborhood to the gate of the Las Colinas Woman's Detention Facility. A short time later, Officer MONCRIEF drives from the Las Colinas Woman's Detention Facility back to the intersection of Park Avenue and 4th Street. After parking there, he drives to Park Avenue and Edgemoor Drive stopping near the alley. He then drives back to Park Avenue and heads west. He stops and turns around, and drives on Park Avenue to 1st Street. After stopping on 1st Street, Officer MONCRIEF drives east to the end of Park Avenue, turns around, and heads west. He drives back to 4th Street and turns south. He drives to Mission Gorge Road and turns west, driving to Cottonwood Avenue. He turns north on Cottonwood Avenue and parks near the alley. After several minutes, Officer MONCRIEF drives north on Cottonwood Avenue, passes the gate for the Las Colinas Woman's Detention Facility and parks near the end of the road. After several minutes, Officer MONCRIEF drives south on Cottonwood Avenue and back to the entrance of the Las Colinas Woman's Detention Facility. Officer MONCRIEF had no proper or justifiable reason to drive [REDACTED] through the neighborhood and stopping at multiple different locations.

[REDACTED] was under arrest and subject to the authority of Officer MONCRIEF. Officer MONCRIEF violated her personal liberty rights by transporting her to unauthorized locations for non-official reasons. The allegation is **SUSTAINED**.

5. PROCEDURE - SUSTAINED

Officer Donald MONCRIEF, ID 6388, used official information obtained during a police investigation for personal use.

Department Procedure 1.26, III, (Access and Release of Criminal Records), revised November 22, 2011, states:

Access and release of criminal records are regulated by the California Penal Code, Government Code, and other sources identified in the "California Criminal Records Security Statutes and Regulations," published by the California Department of Justice. These regulations cover both paper and computer system records. This document is available in Records Division.

Department Procedure 1.26, IV, A, 1, (Access and Release of Criminal Records), revised November 22, 2011, states:

A. For purposes of this procedure, the following are considered criminal records:

1. Arrest Report (ARJIS-8) - a report containing specific information relating to the arrest of a person eighteen years of age or older.

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During the arrest of [REDACTED], Officer Donald MONCRIEF, ID 6388, obtained her telephone number for the official arrest report.

EMPLOYER/SCHOOL [REDACTED]	MILITARY <input checked="" type="checkbox"/> N	OCCUPATION/RANK [REDACTED]	HOME PHONE [REDACTED]	BUSINESS PHONE [REDACTED]
BUSINESS OR MAILING ADDRESS [REDACTED]		CITY [REDACTED]	STATE [REDACTED]	ZIP [REDACTED]

Department Procedure 1.26, V, 3, (Access and Release of Criminal Records), revised November 22, 2011 states:

V. PROHIBITIONS AND AUTHORIZED ACCESS/RELEASE

3. Information contained in arrest, juvenile contact and crime case files, and other police records may not be accessed, disclosed, or released except as authorized by this procedure.

During his Sex Crimes interview, Officer MONCRIEF said [REDACTED] telephoned him after being released from jail wanting to give him gang information. Officer MONCRIEF said he never made any contact with [REDACTED].

During her interview with Sex Crimes, [REDACTED] said Officer MONCRIEF telephoned her and sent her text messages. She said Officer MONCRIEF wanted to know when he could see her, when she was going to visit him, and asking how she was doing.

The telephone records showed the following calls and texts between Officer MONCRIEF [REDACTED] and [REDACTED]

- On February 4, 2013 at 2241 hours (10:41 pm), a text was sent from Officer Moncrief's phone to [REDACTED] phone. That is seventeen hours eight minutes after she had been booked into Las Colinas.
- On February 4, 2013, at 2246 hours (10:46 pm), a phone call was then made from Officer Moncrief's phone to [REDACTED] phone. That is seventeen (17) hours and thirteen (13) minutes after [REDACTED] was booked into Las Colinas. The call lasted thirty seven (37) seconds.
- On February 5, 2013, at 0136 hours (1:36 am), 0329 hours (3:29 am), and 0820 hours (8:20 am), three phone calls were made from Officer Moncrief's phone to [REDACTED] phone. Each call lasted between seven (7) and nine (9) seconds.
- On February 6, 2013, at 2107 hours (9:07 pm) a phone call was made from Officer Moncrief's phone to [REDACTED] phone. This call lasted six (6) seconds and was made twenty three (23) minutes prior to [REDACTED] release from Las Colinas.

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- On February 7, 2013, at 0019 hours (12:19 am), 0204 hours (2:04 am), 0212 hours (2:12 am) and at 0742 hours (7:42 am), four phone calls were made from Officer Moncrief's phone to [REDACTED] phone. The durations of those calls ranged from nine (9) seconds to forty (40) seconds.
- On February 7, 2013, between the hours of 0406 hours (4:06 am) and 1251 hours (12:51 pm) thirteen (13) text messages were sent from Officer Moncrief's phone to [REDACTED] phone.
- On February 7, 2013, between 1049 hours (10:49 am) and 1151 hours (11:51 am) eight (8) text messages were sent from [REDACTED] phone to Officer Moncrief's phone.
- On February 11, 2013, at 1233 hours (12:33 pm), a phone call was made from Officer Moncrief's phone to [REDACTED] phone. The call lasted nineteen (19) seconds.
- On February 12, 2013, at 1240 hours (12:40 pm) a text was sent from Officer Moncrief's phone to [REDACTED] phone.
- On November 1, 2013, at 0538 hours (5:38 am) a text was sent from Officer Moncrief's phone to [REDACTED] phone.
- After November 1, 2013, there are no other records indicating any exchanges between Officer Moncrief's phone and [REDACTED] phone.

Administrative Regulation 95.60, 3.7, revised May 23, 1990 states in part:

3.7 Use of Confidential Information

Persons in the public service shall not use confidential information acquired by or available to them in the course of their employment with the City for speculation or personal gain.

Officer MONCRIEF used the personal information obtained in [REDACTED] arrest report, that he was able to acquire because of his official position as a police officer, to contact her for personal gain.

Department Policy 9.09, (1), (Abuse of Position Policy), revised January 26, 2004, states

A. Use of official position or identification

Members shall not use their official position, official identification cards or badges for:

(1) Personal or financial gain;

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The allegation is **SUSTAINED**.

6. PROCEDURE - SUSTAINED

Officer Donald MONCRIEF, ID 6388, was untruthful during his interview with Sex Crimes.

Department Policy 9.04, (Truthfulness Policy), states in part:

Members shall be truthful in all matters relating to their duties.

During his interview with Sex Crimes, Officer MONCRIEF told the investigators that other than [REDACTED] telephoning him one time, three days after she was released from jail, he had no contact with her. Officer MONCRIEF said he never made any contact with [REDACTED] and stated, "I did not call her at all."

The telephone records show Officer MONCRIEF called and texted [REDACTED] on 26 separate occasions from February 4, to February 12, 2013.

During his interview with Sex Crimes, Officer MONCRIEF told the investigators nothing unusual happened during his contact with [REDACTED]. He also told the investigators nothing inappropriate occurred during his contact with [REDACTED]. He repeated this multiple times.

Officer MONCRIEF, ID 6388, said he drove directly from Headquarters to the Las Colinas Woman's Detention Facility with [REDACTED] his prisoner.

After being asked a direct question about if he un-handcuffed FLORES while transporting her to the Las Colinas Woman's Detention Facility, Officer MONCRIEF admitted he had stopped downtown near the freeway onramp where he un-handcuffed her. Officer MONCRIEF said he had never un-handcuffed a prisoner being transported before, making this act of un-handcuffing a female prisoner unusual.

After being told his story made little sense, and repeatedly being asked what [REDACTED] might tell the investigators if they speak with her, Officer MONCRIEF said when they were driving to the Las Colinas Woman's Detention Facility he was talking to [REDACTED] about gangs. He heard [REDACTED] breathing heavily and asked her what she was doing. Officer MONCRIEF said, "I went back there and she said, 'I've never masturbated in the back seat of the police car.'" He said he could not see and that he did not stop the car. A female prisoner masturbating in a police car while being transported to jail is both unusual and inappropriate.

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After again being reminded of AVL data and being directly asked if he stopped anywhere prior to reaching the Las Colinas Woman's Detention Facility, Officer MONCRIEF changed his story and said he made one stop. He said he drove into the nearby neighborhood to park and re-handcuff [REDACTED]. Parking in a nearby neighborhood to re-handcuff a female prisoner is in itself unusual. Coupled with the fact [REDACTED] had just been masturbating in the patrol car, it is highly suspect that a lone male officer would stop in a secluded area. The actions of Officer MONCRIEF are obviously inappropriate.

The same AVL data shows Officer MONCRIEF not only stopped once to allegedly re-handcuff [REDACTED] and again to search for a lost declaration, but it confirms he stopped at least five more times. These multiple stops were corroborated by the statements of [REDACTED].

Officer MONCRIEF lied about having contact with [REDACTED]. Officer MONCRIEF telephoned and texted her multiple times during and after her arrest. Officer MONCRIEF lied about nothing unusual or inappropriate happening during the contact. He admitted he un-handcuffed a female prisoner during transport, but said it was the first time. [REDACTED] masturbated in the police car, which is highly unusual and inappropriate. Officer MONCRIEF then drove the female to a secluded location to "re-handcuff" her, knowing she was just masturbating in the police vehicle; a highly unusual and inappropriate action conducted by Officer MONCRIEF, a lone, male officer. Officer MONCRIEF also lied about taking a direct route to the Las Colinas Woman's Detention Facility. When faced with AVL evidence, he did admit to stopping one time to re-handcuff [REDACTED] but still did not admit to stopping in multiple occasions. Officer MONCRIEF was intentionally deceptive and evasive during his interview. Based on his own statements and the AVL, Officer MONCRIEF lied about many aspects of the contact. The allegation is **SUSTAINED**.

7. PROCEDURE - SUSTAINED

Officer Donald MONCRIEF, ID 6388, used [REDACTED] as a confidential informant without properly registering her.

Department Procedure 3.16, IV, A (Informant Procedures), revised January 17, 2014, states:

IV. DEFINITIONS

Law enforcement officers receive information from a variety of individuals. These individuals must be divided into three distinct groups so that they, and their information, can be dealt with in the appropriate and legal manner. These groups are identified and described as follows:

A. Informant - generally a person who has been or is a member of the criminal element. This enables the informant to move within areas in which an undercover officer would be unable to penetrate. Another important distinction of an informant is that he or she is assisting law

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enforcement for self-serving reasons, not out of civic duty. The self-motivation of each informant must always be identified and can be placed in one of the following categories:

Department Procedure 3.16, V, 1, 2, 3, (Informant Procedures), revised January 17, 2014, states:

V. GUIDELINES

1. The handling of criminal informants is potentially one of the most hazardous undertakings by an officer. The pitfalls are frequent and sometimes career threatening. For that reason, the rules for informant handling are rigid and unforgiving. Informant management takes expertise that is gained by both classroom instruction and substantial practical experience. Some officers lack this expertise because they have not yet had the opportunity to attend formal training or gain the necessary experience.
2. Although all officers are encouraged to develop sources of information while obeying all applicable laws and Department policies, uniformed field officers are inherently restricted in their ability to adequately manage informants due to other responsibilities and time constraints. Also, as noted above, informants are motivated by issues not related to assisting law enforcement out of civic duty. Physical danger is always a concern when dealing with informants. Many informants will not hesitate to compromise or turn against the handling officer.
3. The Department does not want to discourage any officer from generally developing information and intelligence. However, due to the reasons outlined above, uniformed personnel shall not become involved with, or attempt to manage, informants. Informants need to be directed to the appropriate investigative personnel.

During his Sex Crimes interview, Officer Donald MONCRIEF, ID 6388, said he wanted to use [REDACTED] as an informant. He said he gave [REDACTED] a telephone number to a "pay by" cellular telephone he carried for this purpose. Officer MONCRIEF spoke with [REDACTED] in an attempt to solicit criminal information from her. Officer MONCRIEF instructed [REDACTED] to telephone him with additional criminal information. In an attempt to persuade [REDACTED] to provide him with criminal information, Officer MONCRIEF un-handcuffed her and allowed her to remain un-handcuffed during her transport to jail; a violation of Department policy.

Department Procedure 3.16, VI, A, (Informant Procedures), revised January 17, 2014, states:

VI. PROCEDURES

A. Officers will, at times, come into contact with individuals who express a desire to become criminal informants. These individuals should be briefly queried as to the type of criminal activity they are aware of, then placed in contact with the appropriate investigative unit. That investigative

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unit will be tasked with following the specific steps outlined in the Investigative Procedures Manual.

During his Sex Crimes interview, Officer MONCRIEF admitted he did not contact the appropriate investigative unit, or put [REDACTED] in contact with the appropriate investigative unit. Officer MONCRIEF rationalized this violation of the Informant Procedures saying he had provided informants in the past that detectives did not use, making him mad. He conveyed he was trying to impress others so he could go to gangs.

During his Sex Crimes interview, Officer MONCRIEF conveyed he told [REDACTED] he could put her in contact with a social worker friend of his, to help her out of her situation, in exchange for providing information. Officer MONCRIEF was attempting to solicit [REDACTED] cooperation by promising her leniency on her criminal case.

Department Procedure 3.16, VI, B, (Informant Procedures), revised January 17, 2014, states:

B. Coercion shall never be used in recruiting informants. The potential informant must express a willingness to work with the officer.

Department Procedure 3.16, VI, F, (Informant Procedures), revised January 17, 2014, states:

F. A thorough and complete interview will take place before the informant is used. The information collected during this interview will be placed into Police Department Intelligence System (PDIS) database.

Officer MONCRIEF failed to follow the proper procedures in handling an informant. As a uniformed officer, he is not allowed to manage an informant. Officer MONCRIEF failed to contact the proper investigative unit and failed to provide them with [REDACTED] information. Because Officer MONCRIEF failed to contact the proper investigative unit, [REDACTED] did not participate in a thorough and complete interview prior to being used. The allegation is **SUSTAINED**.

8. PROCEDURE - SUSTAINED

Officer Donald MONCRIEF, ID 6388, violated a direct order by refusing to appear for his appointed interview in regards to this administrative investigation.

Department Policy 9.04, (Obedience to Lawful Orders Policy), states:

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Members shall promptly obey any lawful orders of superiors. This includes orders relayed from a supervisor by someone of the same or lesser rank. While on duty and in the presence of others, members shall address superior officers by their titles.

Officer Donald MONCRIEF, ID 6388, was in communications with Internal Affairs through his attorneys, Rick PINKARD and Cheryl RUGGIERO. Sergeant Jeffrey PETERSON notified Officer MONCRIEF'S attorneys of his administrative interview. Sergeant PETERSON notified Attorney PINKARD on April 28, 2014, and ordered Officer MONCRIEF to appear for his interview on May 12, 2014, at 0830 hours, in Internal Affairs. Sergeant PETERSON notified Attorney RUGGIERO on April 29, 2014, at 1223 hours, and ordered Officer MONCRIEF to appear for his interview on May 12, 2014, at 0830 hours, in Internal Affairs.

On May 12, 2014, at approximately 0900 hours, Attorney Rick PINCKARD of Bobbitt Pinkard and Fields came to the Internal Affairs office and presented me with a copy of a resignation letter from Officer MONCRIEF. PINCKARD advised Officer MONCRIEF would not be participating in his ordered administrative interview and would resign his position as a peace officer

Officer MONCRIEF'S response, through his attorney Rick PINKARD, was in violation of a direct order to appear for an administrative interview. The allegation is **SUSTAINED**.

9. CONDUCT - SUSTAINED

Officer Donald MONCRIEF, ID 6388, displayed conduct unbecoming of a San Diego Police officer.

Department Policy 9.06, (Unbecoming Conduct Policy), revised January 26, 2004 states:

Officers shall conduct themselves, both on and off duty, in such a manner as to reflect favorably on the Department. Officers shall not conduct themselves in any manner that could bring the Department into disrepute or reflects discredit upon the officer as a member of the Department, or impairs the operation and efficiency of the Department or officer.

Members shall not engage in any conduct that is unbecoming an employee of the Department, nor which impairs the operation of the Department.

Officer Donald MONCRIEF, ID 6388, contacted a female prisoner, [REDACTED], during his official duties as a San Diego police officer.

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Officer MONCRIEF obtained [REDACTED] personal cellular telephone number in conjunction with official Department business. Officer MONCRIEF then used [REDACTED] telephone number for his personal use, contacting or attempting to contact her on 26 occasions.

Department Policy 9.09, (1), (Abuse of Position Policy), revised January 26, 2004, states

A. Use of official position or identification

Members shall not use their official position, official identification cards or badges for:

(1) Personal or financial gain;

Officer MONCRIEF, against Department Procedures, used or attempted to use [REDACTED] as an informant, without notifying the appropriate investigative unit, and without [REDACTED] being interviewed and back grounded.

Officer MONCRIEF un-handcuffed [REDACTED] after leaving Headquarters and transported her un-handcuffed to the Las Colinas Woman's Detention Facility. While driving to the Las Colinas Woman's Detention Facility Officer MONCRIEF claims [REDACTED] on her own accord, started masturbating in his police vehicle. Officer MONCRIEF did not notify another unit or his supervisor to seek assistance. Officer MONCRIEF did not note the unusual behavior in his reports. Officer MONCRIEF then alleges he drove into a neighborhood with the masturbating female prisoner, instead of going to the Las Colinas Woman's Detention Facility, because he needed to re-handcuff her. Officer MONCRIEF conveyed he was concerned other passing police units might see him re-handcuffing [REDACTED] and he knew it was a violation of policy, and that is why he drove her to a side street.

Officer MONCRIEF lost the necessary paperwork to book [REDACTED] and returned with her to the neighborhood, parking in multiple different locations in an apparent panicked search. Officer MONCRIEF had to telephone a supervisor to get instructions on how to proceed.

Department Policy 9.15, (Performance of Duty Policy), revised January 26, 2004, states in part:

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, or the failure to conform to work standards established for the member's rank, grade or position.

Officer MONCRIEF'S account of what occurred with [REDACTED] is highly suspect, and even if it were to be believed, demonstrates a complete lack of commonsense and judgement. A lone male officer, having

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un-handcuffed a female prisoner, who if to be believed, chose upon herself to masturbate in a police car while being transported to jail, not stopping and calling for assistance, not notifying his supervisor, not documenting the incident, and then taking the same female to an isolated place away from the jail is reprehensible. Officer MONCRIEF'S actions have brought the Department into disrepute, they reflect negatively on the Department and himself, and his actions have impaired the operations of the Department by eroding public trust. Officer MONCRIEF'S actions have become newsworthy, and he was reported on the televised news as having terminated his employment under accusations of sexual misconduct to avoid giving a compelled statement in an administrative investigation. The allegation is **SUSTAINED**.

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DOCUMENTATION:

The results of this investigation are based on the following items:

1. Sex Crimes investigation [REDACTED].
2. A Human Resources Employee Data sheet for Officer MONCRIEF.
3. Officer MONCRIEF'S telephone records.
4. A copy of Officer MONCRIEF'S resignation letter.
5. 38 screen capture photographs of the AVL.
6. A Human Resources Employee Data sheet for Officer MONCRIEF showing him "inactive".

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Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: [REDACTED] #5078 Date of Report: May 22, 2014

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Approved By:  *ADH* Date of Report: January 6, 2014

1-13-15

**San Diego Police Department
Investigator's Report**

Date of Incident: February 18, 2014
Time of Incident: 1045 Hours
Location of Incident: 1401 Broadway, San Diego, California
Subject: Internal Investigation I.A. #2014-185

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

SUBJECT OFFICER: **RIDDLE, Steven L., Sergeant, ID 4311**
Date of Hire: 02-11-1988
S.D.P.D., Southern Division - Third Watch
(619) 424-0400 (W)
W/M, DOB: [REDACTED]
5'10"/180 lbs.

WITNESS OFFICER: **IRVING, Annette H., Deputy District Attorney**
County of San Diego, District Attorney's Office - First Watch
(619) 531-3678

SMITH, Jonathan C., District Attorney Investigator
County of San Diego, District Attorney's Office - First Watch
(619) 531-3678

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: *M.N.* Date of Report: January 6, 2015

SUMMARY:

In February of 2014, Officer Donald MONCRIEF, ID 6388, was under investigation for on-duty misconduct committed on February 2, 2013. Officer MONCRIEF was interviewed by the San Diego Police Department's Sex Crimes Unit on February 19, 2014. During his interview, Officer MONCRIEF alleged he had previously spoken with Sergeant Steven RIDDLE, ID 4311, and had admitted to him that he had un-handcuffed his female prisoner and that he knew it was a violation of policy.

On February 25, 2014, Sergeant RIDDLE was interviewed by Sex Crimes Unit Detective Sergeant Mike HOLDEN, ID 4997. During this interview Sergeant RIDDLE said he had *no* recollection of ever speaking to Officer MONCRIEF about him having un-handcuffed the female prisoner.

On March 21, 2014, Sergeant RIDDLE met with Sex Crimes Unit Detective Leslie ALBRECHT, ID 4517. Sergeant RIDDLE reiterated the fact he had *no* recollection of speaking to Officer MONCRIEF about him having un-handcuffed the female prisoner.

On June 6, 2014, Sergeant RIDDLE was interviewed by DDA Annette IRVING and DAI Jonathan SMITH in connection to the criminal investigation involving Officer MONCRIEF. During this interview, Sergeant RIDDLE repeatedly stated he *did in fact* speak to Officer MONCRIEF about him having un-handcuffed the female prisoner. He offered vague details about the un-handcuffing, surmised why he thought Officer MONCRIEF may have un-handcuffed the female prisoner, and said Officer MONCRIEF admitted it was wrong to have un-handcuffed the female prisoner.

On November 12, 2014, Sergeant RIDDLE was interviewed by Internal Affairs. Part of this interview was to ascertain why Sergeant RIDDLE told Sex Crimes Detective Sergeant HOLDEN he *had not* spoken to Officer MONCRIEF about the un-handcuffing of the female prisoner but had told the District Attorney's Office that *he had* spoken to Officer MONCRIEF about the un-handcuffing of the female prisoner. During this interview, Sergeant RIDDLE repeatedly stated he *did not* speak to Officer MONCRIEF about him un-handcuffing the female prisoner and had *no recollection* of any such conversation if it had occurred. Sergeant RIDDLE conveyed when he testified to the District Attorney's Office and told them that *he did* have a conversation with Officer MONCRIEF about the un-handcuffing of the female prisoner; he in fact had *no recollection* of ever speaking with Officer MONCRIEF about the un-handcuffing of the female prisoner. When asked directly if he "*truly*" *had a memory* of talking to Officer MONCRIEF about the un-handcuffing of the female prisoner when he recounted the information to the District Attorney's Office, Sergeant RIDDLE said *he did not*. The information Sergeant RIDDLE provided in the District Attorney's interview appeared to be untruthful.

On December 10, 2014, Sergeant RIDDLE was re-interviewed by Internal Affairs in an effort to clarify his statements and to ascertain why on February 25, 2014, he told Sex Crimes Unit Sergeant HOLDEN he *had not discussed with or did not recall* ever discussing with Officer MONCRIEF the un-handcuffing of the female prisoner, but on June 6, 2014, had made repeated statements to the District Attorney's Office

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that *he had spoken* to Officer MONCRIEF about the un-handcuffing of the female prisoner and *had* provided details about the conversation during the interview, and then contradicted himself during the Internal Affairs on November 12, 2014, by repeatedly stating he *had not discussed with or did not recall* ever discussing with Officer MONCRIEF the un-handcuffing of the female prisoner. During this second Internal Affairs interview, Sergeant RIDDLE stated he *did not* speak to Officer MONCRIEF about the un-handcuffing of the female prisoner and had *no recollection* of ever having done so.

On December 16, 2014, DDA IRVING and DAI SMITH were both interviewed by Internal Affairs. Both DDA IRVING and DAI SMITH confirmed Sergeant RIDDLE, during their official investigation, led them to believe he discussed the un-handcuffing of the female prisoner with Officer MONCRIEF and that Officer MONCRIEF admitted it was a violation of policy. Both DDA IRVING and DAI SMITH said if they learned Sergeant RIDDLE had been untruthful and admitted he *never* spoke with and *had no recollection* of speaking with Officer MONCRIEF about the un-handcuffing of the female prisoner this would be detrimental to any attempts of future prosecution of the criminal case.

In April of 2014, Sergeant RIDDLE received a text message from Officer MONCRIEF in which Officer MONCRIEF provided possible incriminating information. Sergeant RIDDLE did not provide this information to the Sex Crimes Unit.

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ALLEGATIONS:

1. PROCEDURE

Sergeant Steven RIDDLE, ID 4311, dissuaded Officer Donald MONCRIEF, ID 6388, from divulging pertinent information during a criminal sex crimes investigation.

2. PROCEDURE

Sergeant Steven RIDDLE, ID 4311, received a text message from Officer Donald MONCRIEF, ID 6388, in April 2014. The text message contained possible incriminating information relating to an active sex crimes investigation Sergeant RIDDLE had knowledge of. Sergeant RIDDLE failed to provide provided the information to the Sex Crimes Unit.

3. PROCEDURE

Sergeant Steven RIDDLE, ID 4311, was untruthful in matters relating to his duties.

4. CONDUCT

Sergeant Steven RIDDLE, ID 4311, displayed conduct unbecoming of a San Diego Police officer by being untruthful during an official investigation during the performance of his duties.

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Approved by: M.V. Date of Report: January 6, 2015

INVESTIGATION:

On August 21, 2014, at 0900 hours, Lieutenant Matt NOVAK, ID 5098, assigned Internal Investigation 2014-185 to me. The investigation deals with Sergeant Steven RIDDLE'S actions relating to Internal Investigation 2014-085.

On August 21, 2014, at 0933 hours, I obtained the Human Resources Employee Data sheet for Sergeant Steven RIDDLE, ID 4311. I placed a copy in the case file.

On August 21, 2014, at 0630 hours, I reviewed items from case 2014-085 that pertain to this investigation.

I placed two emails into this case file. One email was from Detective Garrick NUGENT to Lieutenant Charles KAYE. It described Sergeant RIDDLE'S interview with Deputy District Attorney Annette IRVING and mentioned a seemingly crafted text message from Officer Donald MONCRIEF, ID 6388, to Sergeant RIDDLE.

The email states:

From: "Nugent, E. Garrick" [REDACTED]
Date: June 10, 2014 at 11:32:17 AM PDT
To: "Kaye, Charles" [REDACTED], "Holden, Mike" [REDACTED] >, "Dobbs, Matthew" [REDACTED] >
Subject: Moncrief Update

Gentlemen,

I just spoke to Annette and she informed me that the interview with Riddle was a mixed bag. She felt he was beating himself up because he missed the signs regarding Moncrief. On the other hand, Annette felt he was deceptive when questioned about other issues regarding Moncrief and his interaction with the sergeant and officers on his squad. During the interview Riddle revealed that he received a text from Moncrief after his interview. Annette described it as being well crafted, as though perhaps he had spoke to his attorney before sending the text. When asked why he never told anyone about the text, Riddle said he thought it wasn't important and that the issue was dead in the water. Annette and JC recorded the text.

Annette is having a one on one meeting with the victim tomorrow and after that will be evaluating the potential of prosecution. According to Annette, there are no other issues that need to be address by us at this time.

Garrick Nugent | Detective
San Diego Police Department
Sex Crimes Unit
p. (619) 531-2781
e. [REDACTED]

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: [Signature] Date of Report: January 6, 2015

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Another email was from Deputy District Attorney Annette IRVING to Detective NUGENT and Detective Leslie ALBRECHT. It contained a text message sent from Officer Donald MONCRIEF, ID 6388, to Sergeant RIDDLE.

The email states:

From: Irving, Annette [REDACTED]
Sent: Tuesday, June 10, 2014 3:31 PM
To: Albrecht, Leslie; Nugent, E. Garrick
Subject: Moncrief's new text just provided by Riddle

April 2014

"Hey Sarge. Cesar told me he talked to you. I was reluctant to talk to you because you really became almost a father figure to me. I wanted to be like you more than anything. I know I'm not supposed to talk about this stuff and I'm sure if this does go to court (even though Rick keeps telling me that it's going to get dropped) you will have to testify but I want you to know the truth. I'm sorry for bringing you in on all this shit. I couldn't bring myself to tell you about her master bating in the back seat because I was embarrassed that my actions allowed that to happen and that she felt like I was a weak enough cop that she could get away with it. But once I cuffed her around the corner from Colinas she was fully clothed and I never touched her in any way. I thought at the time she was trying to set me up but if I reported it I would also have to report that I left her uncuffed. I was paranoid about it for 3 months. I figured the next time she was arrested she would tell the officer that the cop who arrested her last time left her uncuffed and she was able to masterbate in the back seat. She was the original person who gave me [REDACTED] nickname and a bunch of other stuff. I just thought if I showed her the courtesy of riding to Santee uncuffed she would keep giving me info. I was so consumed with getting good gang info. I'm sorry that I let everyone down but most of all I let you down and now I will never get to be a detective anyway."

Annette H. Irving

Deputy District Attorney

Special Operations Division

(619) 531-3678 (tel)

(619) 685-6689 (fax)

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M. J. Date of Report: January 6, 2015

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I copied an audio/video recording from Sex Crimes investigation 14-007010 in which Officer MONCRIEF is listed as a suspect. The recording is of Officer MONCRIEF'S sex crimes interview.

I also copied Officer MONCRIEF'S transcribed interview from sex crime case 14-007010.

During the sex crime interview, Officer MONCRIEF states in part:

I told Sgt Riddle that I did. And I did... I unhandcuffed her when we went from headquarters to Los Colinas. I did unhandcuff and she was in the back unhandcuffed. I told him that it was a violation I know. But I did unhandcuff her.

And,

You can ask Sgt. Riddle yourself. I seriously said. When I told him about it I said the two things I know is for a fact...one that I probably should have handed her over (to Gangs). And two was that I did unhandcuff her on the way there. And he said you don't have to mention that.

And,

So help me God, I will take a lie detector or a polygraph, I did tell Sgt. Riddle that she was unhandcuffed. But he is not the one on the hot seat.

I copied a compact disk from Sex Crimes investigation [REDACTED] containing text messages sent between Officer MONCRIEF and Sergeant RIDDLE. I printed copies of the text messages. I placed the compact disk in the case file. I placed copies of the printed text messages in the case file.

The text messages are discussing Sex Crimes investigation [REDACTED]. The messages state:

Inbox	➔ [REDACTED]	2/19/2014 12:29:32 AM(UTC+0)	Read	Are you available for a call
Inbox	➔ [REDACTED]	2/19/2014 1:50:53 AM(UTC+0)	Read	Sarge anything you can find out just text me or leave me a voice mail. I don't want my wife to feel as freaked out as I do.
Inbox	➔ [REDACTED]	2/19/2014 3:35:15 AM(UTC+0)	Read	Also I know your busy but do you have Jonathan Weise's number. I have never had to go up to the 7th floor and just in case it goes how I'm fearing it might I want to have someone I trust with me.
Inbox	➔ [REDACTED]	2/19/2014 7:40:40 AM(UTC+0)	Read	I haven't slept at all

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Sent [REDACTED] 2/19/2014 11:22:44 AM(UTC+0) Sent

You are fine. This is nothing to stress over. There was nothing but honorable meaning behind your actions. You did what any Godly man would. You actually care about people and even though you love to lock up the bad ones you want to see the good/ potential in people. I have had the opportunity to get a small handful of people out of the gang and drug life. It never would have happened if I hadn't reached out with some compassion. You did a good thing. Get some sleep. I will talk with you some more tomorrow at work. God bless. :) XXXXXXXX

I copied an audio recording from Sex Crimes investigation [REDACTED] of a voice mail message left on Sergeant RIDDLE'S telephone by Officer MONCRIEF to a compact disk. I placed the compact disk in the case file.

I copied page 28 of Sex Crimes investigation [REDACTED] completed by Detective ALBRECHT, showing a transcription of the voice mail message left on Sergeant RIDDLE'S telephone by Officer MONCRIEF. I placed a copy in the case file.

The telephone message states:

Sarge hey it's Don...Ummm, Hey I ahh...that, that secondary number that I used to have...well I mean I still have it...I just ...the phone got wet so I don't use it. I haven't used it for about a month. But...umm, I actually called it from my regular phone and just to check the voice mail to see if I received any weird calls from there. Because that's the number I thought I had given her when I, back you know a year ago. And there was a message from her. And there was also a message from a female detective. Trying to find out who the call was from... like who belongs to that cell phone. So...or who's the owner. Uhhmm...I fricken was because I was trying to figure out the little buttons on my regular phone on how to...on how to ahh re-play it to write down the number I ended up deleting it. So I have no idea who it is. So I don't know if this is a good thing or a bad thing. But II don't...I've never been in this situation. I'm just freaking myself out I think. I think I'm making it worse but....I contacted ahh...Chief Vasquez because he... you know we have a relationship. He was my Captian you know and everything. I trust him. So I told him what I...what I received, what I was thinking. What I was kind of worried about. And uhhh...you know...and now I got a call back from a Sgt Holden at sex crimes. And I'm like...sex crimes. That's, that's weird to me, so. I don't know...I thought maybe I would get a call back from somebody from I.A., but its sex crimes. So I'm like really kind of weirded out by this whole thing. Uhhmm... I ...he wants me to try and go up there. I told him I'm working right now but I was going to call a sergeant and see if I could get a relief. But I don't know what to do. To be honest with you. I don't know if this is a good move or a bad move. I don't know if I should be bringing a POA rep. I don't know why...this is weird. I don't know why I would be going to sex crimes ...to talk. So...uhmm...can you please call me back. I don't want to make a decision until I talk to you. Witch I should have just done in the first place and listen to you tell me not to worry about it. But just something bothers me about it. But you're probably right. It probably just has to do with everything that's going on with you know the dept but it's still something bothered me. Alright thanks Sarge.

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I copied an audio recording from Sex Crimes investigation [REDACTED] of Sergeant HOLDEN conducting a telephone interview with Sergeant RIDDLE on February 25, 2014, to a compact disk. I placed the compact disk in the case file.

On August 25, 2014, at 1020 hours, I telephoned Deputy District Attorney Annette IRVING. I requested a copy of their interview with Sergeant RIDDLE conducted on June 6, 2014.

On August 28, 2014, at 1307 hours, I received an email from Jonathan SMITH of the San Diego County District Attorney's Office. Attached to the email was the District Attorney's transcript of Sergeant RIDDLE'S interview. I reviewed the transcript. I printed a copy and placed the copy in the case file. I placed a copy on a compact disk. I placed the compact disk in the case file.

On September 11, 2014, at 1408 hours, I received an email from Net Transcripts containing the transcribed interview between Sex Crimes Detective Sergeant HOLDEN and Sergeant RIDDLE. I reviewed the document. I printed a copy for the case file. I placed a copy on a compact disk. I placed the compact disk in the case file.

I compared Sergeant RIDDLE'S statements during the Sex Crimes interview with his statements during his District Attorney's interview.

On October 30, 2014, at 1303 hours, I sent Sergeant RIDDLE a Department email. I notified him of this investigation, of the allegations, and of his right to representation during the interview. I scheduled his interview for November 12, 2014, at 2200 hours, at Northeastern Division. I requested he telephone to confirm his interview. I provided my Department cellular and desk telephone numbers.

On November 12, 2014, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

On November 20, 2014, at 0930 hours, I obtained Sergeant RIDDLE'S transcribed interview. I printed a copy and placed it in the case file. I placed a copy on a compact disk. I placed the compact disk in the case file.

On December 2, 2014, at 0930 hours, I sent an email to Sergeant RIDDLE requesting a follow-up interview on December 10, 2014, at 2200 hours, at Northeastern Division. I requested he confirm the interview appointment. I provided my desk and Department cellular telephone numbers.

On December 5, 2014, at 1605 hours, I received a telephone call from Attorney Rick PINCKARD on my Department cellular telephone. He confirmed Sergeant RIDDLE'S interview appointment and requested a return telephone call.

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On December 8, 2014, at 1227 hours, I telephoned Attorney PINCKARD. He confirmed Sergeant RIDDLE'S interview appointment. He requested a transcription copy of Sergeant RIDDLE'S interview conducted on November 12, 2014.

On December 8, 2014, at 1234 hours, I sent an email to Attorney PINCKARD. The email contained a transcription copy of Sergeant RIDDLE'S interview conducted on November 12, 2014 as an attachment.

On December 10, 2014, at 2230 hours, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

On December 11, 2014, at 0903 hours, I telephoned DDA Annette IRVING. I left a message on her answering service. I requested a return telephone call. I provided my desk and Department cellular telephone numbers.

On December 12, 2014, at 1044 hours, I received a voice telephone message on my Department cellular telephone from DDA IRVING. I was unable to return her telephone call because the number she called from does not accept incoming calls or messages; (619) 531-1692.

On December 15, 2014, at 1204 hours, I telephoned DDA Annette IRVING. I left a message on her answering service. I requested a return telephone call. I provided my desk and Department cellular telephone numbers.

On December 15, 2014, at 1445 hours, I received a telephone call from DDA Annette IRVING. I scheduled an interview with her and DAI Jonathan SMITH on December 16, 2014, at 1400 hours.

On December 16, 2014, at 1416 hours, I interviewed DDA Annette IRVING at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

On December 16, 2014, at 1446 hours, I interviewed DAI Jonathan SMITH at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

All interviews were audio recorded, unless otherwise noted, and the recordings will be maintained with the Internal Affairs file. The statements are "in essence" synopses of the interviews. (For exact and complete details of the interviews, refer to the audio recordings.)

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Witness Officer Interview: Deputy District Attorney Annette IRVING

On December 16, 2014, at 1416 hours, I interviewed DDA Annette IRVING at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

The following is a transcription of DDA IRVING'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Sergeant Bret A. RIGHTHOUSE, ID 4173. It is December 16, 2014, at 1416 hours. I am at the Hall of Justice with DDA Annette IRVING. Can you state your name please?

IRVING: Yes, my name is Annette H. IRVING, I R V I N G.

RIGHTHOUSE: I'm going to ask you a few questions concerning an interview you did with Sergeant Steve RIDDLE in the MONCRIEF case.

IRVING: Okay.

RIGHTHOUSE: When you interview a police officer during an investigation do you expect the officer to be truthful?

IRVING: Absolutely.


RIGHTHOUSE: And why do you expect the officer to be truthful?

IRVING: Because we are relying on their word. We're going forward on potentially criminal charges that could impact a person's liberty and so we take that very seriously and we rely on witness statements including peace officer statements.

RIGHTHOUSE: Can false or misleading information damage the credibility of the officer?

IRVING: Yes absolutely it can hurt the officer's credibility in the case at hand as well as future cases that they handle.

RIGHTHOUSE: Can false or misleading information during an officer's interview have a negative impact on your investigation?

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IRVING: Absolutely because, again, we're relying on the truthfulness of that information and then that leads us to the next step that we're taking in our investigation and if we're relying on information that's false it puts everything into question.

RIGHTHOUSE: On June 6, 2014, you interviewed Sergeant Steve RIDDLE in regards to the case involving Officer MONCRIEF. In that interview, what did Sergeant RIDDLE lead you to believe concerning Officer MONCRIEF and his actions with the handcuffed female prisoner?

IRVING: In my meeting with Sergeant RIDDLE I understood that he had had contact; he had had conversations with Officer MONCRIEF and that Officer MONCRIEF had disclosed to Sergeant RIDDLE that he had handcuffed a female that he was transporting to Los Colinas.

RIGHTHOUSE: Did he say anything about taking the handcuffs off that female?


IRVING: Yes there were statements that Sergeant RIDDLE made that lead me to believe that MONCRIEF had disclosed that he had removed the handcuffs from the woman that he was transporting.

RIGHTHOUSE: There are various statements in your interview by Sergeant RIDDLE in which he says he spoke with Officer MONCRIEF via telephone, that Officer MONCRIEF told him he un-handcuffed the female prisoner and that Officer MONCRIEF admitted to him that he should not have done so. Are those statements by Officer RIDDLE documented accurately?

IRVING: You know I; are interview with Sergeant RIDDLE was audio taped and from that audio tape a transcript was created and so I do believe that that audio tapped transcript is an accurate representation of the statements that were made from Sergeant RIDDLE during that interview.

RIGHTHOUSE: How was the information about Officer MONCRIEF having un-handcuffed the female prisoner, and knowing it was wrong, pertinent to your investigation?

IRVING: We believed that Officer MONCRIEF had committed sexual crimes against a female transportee. We believed that some of the lead up to these crimes included the un-handcuffing of the, of the, female. It was something that the victim had disclosed to law enforcement and to the District Attorney's Office and when we found out that Officer MONCREIF, in his own interview, corroborated that information that of course, for us, made us, you know found the victim to be more credible so to speak. It was a piece of information that corroborated what the victim had told us.

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RIGHTHOUSE: Okay, then in Sergeant RIDDLE'S interview, saying that he had talked to MONCRIEF, that also corroborated that evidence when Sergeant RIDDLE said that MONCRIEF had told him also that he had un-handcuffed the prisoner?

IRVING: Absolutely. It was fresh reporting so to speak that MONCRIEF had disclosed to the sergeant prior to being interviewed by Mr. HOLDEN in your office and that was significant; another piece of evidence that for us made our victim more of the truth teller so to speak.

RIGHTHOUSE: During your investigation, Sergeant RIDDLE told you Officer MONCRIEF had told him he did un-handcuffed the female prisoner and that Officer MONCRIEF had told him he knew he should not have done so. If that information provided to you by Sergeant RIDDLE was false, and Sergeant RIDDLE admitted he truly had no knowledge of these events, would that be disconcerting to you?


IRVING: It would be because, again, we rely so heavily on peace officer witness statements. We had no reason to disbelieve Sergeant RIDDLE at the time of the interview and I think that him coming back, if I were to learn that the information that he provided in that interview was false, um, that's concerning for all kinds of reasons. One is the target of the investigation already is a law enforcement officer and I think that, you know, adding additional law enforcement witnesses who; where their testimony or statement then turns out to be false, I mean I can't imagine how difficult that would make the prosecution to begin with of that officer if other officers, you know, that he, that the target officer came into contact with were also posing problems for the case. I can't imagine what a challenge that would be.

RIGHTHOUSE: How could these false statements by Sergeant RIDDLE effect your overall investigation?

IRVING: You know just piggybacking on my last statement, my last response, I think in prosecutions of law enforcement officers it is so critical to have a clean investigation so to speak and reliable statements, reliable evidence, and I just, I think already it is such a challenge to go forward in this type of prosecution that then to add another problematic witness, so to speak, in the mix. I just; it could make the burden insurmountable. It could be very, very problematic if we find out that a statement from a law enforcement officer is not in fact the truth and that we had relied upon that statement in our investigation and in our charging decision.

RIGHTHOUSE: One last question. Do you think it reflects negatively on the officer and the police department to have an officer give you false and misleading information in an official investigating?

IRVING: Yes.

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RIGHTHOUSE: And why?

IRVING: Because we rely so heavily on police officer statements. As an officer of the court we make representations in what peace officers tell us for bail review; instances where we have reliance for search warrants; in support of search warrants or arrest warrants where their word is absolutely relied upon to search a house, to arrest an individual, to lead to the prosecution and conviction of an individual, so those; the truthfulness of those statements are absolutely paramount and I think that if there are instances where a statement is found to be untrue that could be very damaging for the officer and for the agency which he works for.

RIGHTHOUSE: I thank you for your time. It is about 1425 hours and that will conclude the interview.

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Witness Officer Interview: District Attorney Investigator Jonathan SMITH

On December 16, 2014, at 1446 hours, I interviewed DAI Jonathan SMITH at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

The following is a transcription of DAI SMITH'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Sergeant Bret A. RIGHTHOUSE, ID 4173. It is December 16, 2014, at approximately 1446 hours. I'm at the Hall of Justice with DAI SMITH. Can you state your name and ID number please?

SMITH: J.C. SMITH; 157.

RIGHTHOUSE: This interview has to do with an interview that you conducted with DDA IRVING with Sergeant Steve RIDDLE involving the Officer MONCRIEF case.

SMITH: Okay.

RIGHTHOUSE: When you interview a police officer during an investigation do you expect the officer to be truthful?

SMITH: Absolutely.

RIGHTHOUSE: Why do you expect the officer to be truthful?

SMITH: Well, anytime we interview a law enforcement officer we expect them to be truthful because their credibility effects far more than our case. We expect total cooperation and truthfulness to help us in our investigation. We're all kind of on the same page and you know, doing these investigations so anytime we use law enforcement, yeah we absolutely expect them to be truthful.

RIGHTHOUSE: Can false or misleading information damage the credibility of the officer?

SMITH: Absolutely. Not just in our investigation but in any investigation.

RIGHTHOUSE: And how so?

SMITH: Police officers have ah, you know they send people away to prison based on their credibility and if an officer is known to lie or give false or misleading information

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purposely, it creates all kinds of problems. Not just for individual officers but for cases, the Department and you know it can affect an officer's entire career if they end up on the Brady List because of false or misleading information or outright lies.

RIGHTHOUSE: On June 6, 2014, you interviewed Sergeant Steve RIDDLE in regards to the case involving Officer MONCRIEF. In that interview, what did Sergeant RIDDLE lead you to believe concerning Officer MONCRIEF and his actions with the handcuffed female prisoner?

SMITH: We talked about it. The best that I can remember is, I think initially he told me that he didn't have any recollection of a conversation like that, um, as we continued to talk about it he told me that he did have a vague memory of a conversation where MONCRIEF said something to the effect that the only thing I did wrong was un-handcuff her; something like that. And I had some follow up questions for RIDDLE; we talked about that. He told me through our conversation that he didn't ask a lot of follow up questions with MONCRIEF when they discussed that and he, he being RIDDLE, thinks he drew the conclusion that MONCRIEF un-handcuffed the female prisoner so that she could shake her arms out of something. He said he felt bad that he didn't, didn't put it together. That it could have been, you know, on the way to Colinas or something other than something innocent. He said, he said he did recall the conversation and that he didn't think much of it; didn't think it was a big deal.

RIGHTHOUSE: There are various statements in your interview by Sergeant RIDDLE in which he says he spoke with Officer MONCRIEF via telephone, that Officer MONCRIEF told him he un-handcuffed the female prisoner and that Officer MONCRIEF admitted to him that he should not have done so. Are those statements by Officer RIDDLE documented accurately?

SMITH: Ah, yeah, they; the entire interview with RIDDLE was recorded.

RIGHTHOUSE: How was the information about Officer MONCRIEF having un-handcuffed the female prisoner, knowing it was wrong, pertinent to your investigation?

SMITH: Well there's a couple different ways that that was; that information was important. Credibility of the victim; which is important and in any case but particularly in a sex crimes like this was when it's the victims word against the suspect's word, specifically when the suspect is a police officer; that's huge. So any information that the victim might have talked about that, you know, we could, we could corroborate from another source, like un-handcuffing. For example if MONCRIEF, the suspect told RIDDLE that he did in fact un-handcuff her; that

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would be big information because that would be consistent or inconsistent if he said he absolutely did not un-handcuff her with what the victim told us. So for one it goes to the victim's credibility and the nature of the crimes that occurred, it; what the charges would be, um, you know the potential charges for MONCRIEF would be very different if the victim is restrained with handcuffs or not restrained. One of the big questions in a case like this is not just did some type of sex act occur but was it willing or was it coerced or was it done by force or fear and the handcuffs or lack thereof would certainly play a role in that, although there's still the argument that it's a marked police car, a uniformed officer in a position of authority but the handcuffing played a big role in that.

RIGHTHOUSE: During your investigation, Sergeant RIDDLE told you Officer MONCRIEF had told him he did un-handcuffed the female prisoner and that Officer MONCRIEF had told him he knew he should not have done so. If that information provided to you by Sergeant RIDDLE was false, and Sergeant RIDDLE admitted he truly had no knowledge of these events, would that be disconcerting to you?

SMITH: If there was information that RIDDLE lied, yeah, that would bother me a great deal.

RIGHTHOUSE: Why?

SMITH: That affects the whole investigation really. I mean, we're trying to at the time when we're interviewing RIDDLE, we were weighing the facts and not just me and the DA, Annette IRVING, but all the way up to Bonnie DUMANIS, and we would have meetings frequently and talk about the alleged crime and how we were going to solve it and if; we would go upstairs and talk to other DA's who were helping make this decision and we're going up there with information, particularly from a police officer, and we think it's truthful and we're passing that information on, so it's disconcerting to me that you know, if RIDDLE or anyone else lies to me, and I go up and pass that information on and that information is false because it's going to affect not just the decision whether or not to charge a police officer with a crime, but it goes far beyond just our decision; future prosecution; credibility of the victim. It cuts to the credibility not just to, like I said earlier, not just to Sergeant RIDDLE but to the entire agency, as you know in the end when these things happen everybody kinds of gets looked at differently. But it also undermines, when an officer lies during an investigation, it undermines every future investigation that they do so it would bother me greatly if you told me that RIDDLE lied.

RIGHTHOUSE: You kind of hit on this already, but if there is anything you could add. How could these false statements by Sergeant RIDDLE effect your overall investigation?

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SMITH: Well the main thing is that, like I said, we were weighing the facts of whether to issue or whether to not issue. If we had more information that corroborated what the victim said and didn't have to go just based on the victim's statement, it could have changed everything. If MONCRIEF made statements to RIDDLE or anyone else who we spoke to, because we spoke to a number of police officers, and RIDDLE or anyone else had information that he did in fact drive her to Colinas without her handcuffs on or did other, had other behaviors that he might of done, um, it could have been just enough information to change the whole course of the investigation and have us go ahead and decide to prosecute MONCRIEF for the crimes. It would give the victim more credibility. It would give the victim more support. It would give the entire case more momentum and I think it would, it would possibly lead to other investigative avenues depending on what RIDDLE said.

RIGHTHOUSE: So with that information from RIDDLE, he's corroborating a statement, if you had made the decision to prosecute MONCRIEF and then found out that the information that RIDDLE had given you was false, would that be an issue?

SMITH: That would have been horrible and it would have been a high profile, very high profile mistake, which this also still has the potential to be but it would be, if we had decided to go forward and then later learned that we're going forward with false information, that, it's certainly not my decision, but I could speculate that it would probably be a case that we would have to, have to drop, you know if we have police officers coming forward that are, that are being untruthful about the case, one way or the other in favor, in one or the other, it uh, it's very difficult to prosecute a case when witnesses lie but almost impossible when cops lie.

RIGHTHOUSE: And one last question for you, if an officer gives you false or even just misleading information in an investigation that you're conducting, how does that reflect on the officer and our Department as a whole?

SMITH: I touched on that a little bit too. I think anytime an officer lies to me during an investigation, its one thing if guys are just smoking and joking and somebody gives some bad info about something, you know, about something that is innocuous. But false information during a formal interview that's recorded where were looking at the prosecution of anyone, let alone something as serious as an officer, that's absolutely blows any credibility of that officer would ever have with me and I don't speak for the DA's office but I venture to say the entire office. I mean that's ah, that's a Brady violation and it's an issue that's, um, really, really, career ending for officers when they lie during an investigation, particularly to the DA's office and it does reflect, you know, poorly on the Department where that officer is, in this case, the San Diego Police Department. It would reflect poorly on the San Diego Police

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Department; however I think that would depend on how the police department handles that type of information. But it, it kind of puts everybody, not even just that department, but everybody in law enforcement in a bad spot and it makes it difficult for any officer to go up and testify based solely on their statements without records or videos or whatever. In this case it was a recorded statement. If that statement is proven false compared to other recorded statements, you know, I, that's a big problem.

RIGHTHOUSE: Would it make any difference if Sergeant RIDDLE told you this information because he's trying to help you out and he thought that that's what you wanted to hear, or is that still just a lie?

SMITH: I don't understand what, if he said that, I don't understand what he means by what I wanted to hear. Because what I wanted to hear was the truth and if I didn't get that he certainly didn't tell me what I wanted to hear. If he, if he later told someone that he gave me this information and this information is false because he thought that's what I wanted to hear, it makes me wonder about any case he ever did. I mean is he going to get on the stand and say what he wants the DA to hear. Is he going to testify to how one side or the other, his perception of how one side or the other wants, wants him to say? I mean that goes right to his integrity and his credibility and you know I have no idea why he would say something like that when what I only wanted was the truth.

RIGHTHOUSE: I thank you for your time. It's about 1500 hours and that will conclude the interview.

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Subject Officer Interview: Sergeant Steven RIDDLE, ID 4311

On November 12, 2014, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment.

The following is a transcription of Sergeant RIDDLE'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Sergeant Bret A. Righthouse, ID 4173. It's November 12, 2014, about 2207 hours. I'm in the Northeastern Division conference room with Sergeant Steven Riddle, ID 4311. Can you state your name please?

RIDDLE: Yeah, Steve Riddle.

RIGHTHOUSE: And with you is your employee representative uh, Rick Pinckard. Can you state your name please?

PINCKARD: Rick Pinckard.

RIGHTHOUSE: And with me is also Internal Affairs Sergeant Dan Sayasane. Can you state your name please?

SAYASANE: Dan Sayasane, ID 5680.

RIGHTHOUSE: At this time I'm gonna question you about procedures and conduct. My questions during this interview concern administrative matters relating to the official business of the police department. I am not questioning you for the purpose of a criminal prosecution. In a criminal investigation you have the right to remain silent and not incriminate yourself. However, since this is an administrative, not a criminal investigation a failure to answer my question could be insubordination and result in discipline up to and including termination. Any statement you make cannot be used against you in any criminal proceedings. In our Penal Code 832.7 the grand jury, Attorney General's Office or District Attorney's Office may have a right to obtain a copy of your statement to me during this interview. Your statements to me cannot be used against you by any agency in any criminal proceeding. You're required to answer my questions fully and truthfully. This requirement is set forth in Sections 9.4 and 9.29 of the San Diego Police Department Policy Manual: 9.4 Obedience to lawful orders policy. Members shall promptly obey any lawful orders of superiors. This

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includes orders relayed from the superior by someone of the same or lesser rank. 9.29 Truthfulness Policy. Members shall be truthful in all matters relating to their duties. Upon the order of a superior or any officers appointed by the Chief of Police to conduct internal investigations and in accordance with constitutional and contractual guarantees including the right to representation. Members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department. Refusal to answer my questions is in itself a violation of department policy and will subject you to disciplinary penalties. Do you understand what I've just explained to you?

RIDDLE: Yes, sir.

RIGHTHOUSE: Is there anything that prevents or may prevent you from answering my questions fully and truthfully?

RIDDLE: No.

RIGHTHOUSE: Do you have any questions concerning what I've just explained to you?

RIDDLE: No.

RIGHTHOUSE: And I order you to answer the following questions. I'm also ordering you not to disclose anything we discuss during this interview or anything regarding this investigation with anyone other than your employee representative or legal counsel. Doing so would be insubordination and by itself could subject you to disciplinary action up to and including termination. Now what's your height and weight?

RIDDLE: Five-eleven, 180.

RIGHTHOUSE: And that's just a box on our form.

RIDDLE: Little unusual but that's all right.

SAYASANE: Often times these types of investigations require somebody to try to identify the right person.

RIDDLE: Yeah.

SAYASANE: I don't think that's the issue here.

RIGHTHOUSE: No. And how do you know - know uh, (Donald Moncrief).

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RIDDLE: I met him when he came to my squad um, when I was a new sergeant down at Southern Division, um, and actually, I had - either got a call or an e-mail or something from him asking to go, and then got some information from uh, one of the other detectives in a gang unit that he had worked up there and spent some time doing some graffiti stuff and was interested in working with me 'cause I came from the gang u- gang unit when I went down to Southern Division. So, uh, I had a - had an opening and, you know, pick him up on the squad.

RIGHTHOUSE: Okay, so he worked for you.

RIDDLE: Yes, sir.

RIGHTHOUSE: Is he a personal friend with you also or just work relation?

RIDDLE: No, just - not - not any different than anybody else that I work with. I mean, I don't hangout with all the people that I work with other than at - at work. Um, so, no, just - I mean, an employee. I mean, he basically work for me.

RIGHTHOUSE: Okay.

RIDDLE: I mean, I consider him friends like I do the other people that I work with, but, yeah.

RIGHTHOUSE: Okay. And you're aware that the sex crimes investigation involved (Donald Moncrief), is that correct?

RIDDLE: Yes.

RIGHTHOUSE: And were you aware that the investigation involves a person named [REDACTED]?

RIDDLE: Yeah, I - I believe that was a name. Yeah.

RIGHTHOUSE: And you're aware that Officer (Moncrief) did arrest - had arrested [REDACTED]?

RIDDLE: Well, I know he arrested a female. I just don't recall the exact name. I think that sounds familiar. I remember the - some of the monikers and stuff more than I do some of the other - maybe some of the people, but um, yeah, I - I know he had arrested somebody um, and that was what everything was surrounding that's...

RIGHTHOUSE: What's...

RIDDLE: ...I mean, I don't know a whole lotta the details to be honest with you about all of it, so.

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RIGHTHOUSE: Right. And you're aware that Officer (Moncrief) received a telephone call about a year after he contacted [REDACTED]?

RIDDLE: Yes, that's what I was told.

RIGHTHOUSE: You were told...

RIDDLE: Yeah.

RIGHTHOUSE: When did Officer (Moncrief) and you first talk about the circumstances of his contact with [REDACTED]?

RIDDLE: Well, I'll - I'll do the best I can to give you the exact dates, but I mean, it's been a little while, and I know I've talked to several people. So I mean, some of those dates might be a little bit clear in some of those interviews that I gave, but - and I don't remember the specific date, but he called or e-mailed me, or sorry, texted me, and we spoke um, very - it was very short. He was kinda - kinda I guess worked up, which wasn't abnormal for him. I mean, he was wound a little tight, uh, but, you know, he was a good officer and did a great job out in the field, but seem to be a little excitable about things and worried a lot about stuff. Sometimes when he called and seemed a little uh, worked up like he did when he called. I didn't take a whole lot into it. And so when he called the first time and spoke with me um, it was, "Hey, I just uh - uh, got a message from uh, somebody to call - to call this female back, and I think I may have messed up." Like, "Okay, what - what do you mean may of messed up?" And I don't know how far - you want me just free talk and go through this and explain it or - I mean, I - I don't care. Uh...

RIGHTHOUSE: Well, uh...

RIDDLE: I mean I'm open. I mean, I - I...

RIGHTHOUSE: It - was it about February 18th...

RIDDLE: That - that'd be...

RIGHTHOUSE: ...(unintelligible).

RIDDLE: ...yeah, it was February, yeah.

RIGHTHOUSE: Okay. And then the circumstances of it was, that somebody that he had contacted and we contacted him.

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RIDDLE: Correct.

RIGHTHOUSE: And he was calling you...

RIDDLE: 'Cause...

RIGHTHOUSE: ...to tell you that that happened?

RIDDLE: He did.

RIGHTHOUSE: He called you?

RIDDLE: He said, "I think I messed up." I mean, I can explain what happened. I don't know if you want me to explain it or you want question/answer, how you wanna do it. I don't sit and do this all the time.

SAYASANE: I - I think whatever's gonna facilitate your ability to answer his question, whatever you're most comfortable with as long as it's uh, you know, response to his question then we can...

RIDDLE: Okay.

SAYASANE: ...we can try it that way and see if that cuts through the fat a little.

RIDDLE: All right, no, I'm - I'm fine with that. Uh, when he contact me he said that uh, I - I - been - "Somebody tried to reach out to me. Somebody I'd arrested before," um, and tryin- he gave me like part of the name. I don't even know that he gave me the whole name um, and that uh, "I think I may have messed up 'cause I gave her my cell phone number," and I'm like, "All right, you know, explain 'cause I - that doesn't make any sense." He goes, "Well, I kinda talk to her, and I, you know, kinda was trying to get somebody, you know, to like I do anybody that's willing to help out down the road," you know trying to look for that next source (unintelligible) CI, which I did my whole career. Most of the good, you know, crooks that I arrested are the - the good ones were the ones I ended up getting to be CI's down the road later on. So I - I pretty much push that with my officers. "Hey, look. You know what? Anybody that's open and willing to talk to you, you know, you wanna throw 'em a number to call you and we can get 'em hooked up to get 'em to talk to somebody. We'll get 'em plugged in with the detectives and, you know, we're obviously looking for the next person to point us in the right direction and start making some cases." So it seem like that's what was going on, and he was all freaked out about that. I said, "Now, I - I - I don't - I don't get this 'cause this is not a big deal." Um, I said, "You know if she calls back um, just tell her, "Hey, look. You know uh," get a good number where you can reach her and we'll set

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up a time to meet with her." I'll get uh, one of the detectives at Southern Division I used to work with (Naganu) who I trusted. I knew would know how to handle a CI, 'cause not too many of the detectives in the division did. I said, "We'll get 'em hooked up with - with uh, that detective and, you know, somebody else, and - and uh, we'll get it - get it passed off and, you know, that - that's a good thing." And uh, his concern was, "Well, I gave her my personal number." I said, "I - I give my personal number out to all kinds of people. I'm not that worried about it." So I said, "That's not a big deal. Is there something else that's going on?" "No, that's - that's basically it." I said, "Dude, well, just relax, it's not a big deal. You know we'll - if the person calls back then - then let me know" and that was pretty much the gist of the - the first - probably first couple of conversations that I had with him, um, and that was...


SAYASANE: So he seemed to be focusing on something that didn't really seem that...

RIDDLE: Well, and I - I did- I didn't - I didn't under-

SAYASANE: ...important to you.

RIDDLE: Oh, no, not at all - not at all. I mean uh, in fact I wou- I was kinda gearing towards, you know, that was actually a good thing, you know, that he was getting this person to call back and give information and stuff. He did ask me, he said, "Hey, you know I was trying to figure out who - who - what the girl's name was, and who it was," um, and I didn't - I didn't - I didn't remember. I mean, I wasn't working - wasn't working for me at the time that the arrest happen, um, and uh, so I ask, "Well, can you, you know, run and see what her name was," uh, and information and stuff, and I said, "Well, yeah. It's not a big deal," 'cause my goal was we're gonna pass it on to the detective and - and find out what was up, and I remember pulling it up and running it, and I remember him sending me texts um, or leave me messages, "Did you pull up any information? Did you find out yet?" and I text him back, "Look dude, I've been busy. It's been a busy night. I'll get to it, all right? Don't worry about it. Just relax," and uh, I don't know that I even got back with him with any of that information. The next thing I got was, it was either a voicemail or a text from him in the middle of the night. I ended up working really late and went home and crashed, and he called, and I didn't even answer the phone 'cause I was trying to get some sleep before I had to go back to work, and when I got the phone message he was all panicked um, that he uh, and I don't remember exactly what he said, and - and I still have everything, and I gave everything to uh, (Leslie)? Is it (Leslie) in Sex Crimes?

RIGHTHOUSE: Sex Crimes, yeah.

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RIDDLE: Yeah. To (Leslie) and um, I know when I talk to the DA's Office I had another text that he had sent me down the road 'cause after all this happen where he went downtown, I didn't talk to him. I didn't deal with anymore um, and I (unintelligible)...

RIGHTHOUSE: Before he went for his Sex Crimes interview...

RIDDLE: Yeah, okay...

RIGHTHOUSE: ...how many - how many times...

RIDDLE: ...yeah, okay.

RIGHTHOUSE: ...did he call you and talk with you, or try an talk with you?

RIDDLE: Probably two or three times. Um, probably three and the third one probably when I - when I spo- well, that I actually had a conversation where there were messages and stuff that were left, uh, and when I spoke with him after he panicked he says, "I think I really messed up. I really messed up," and that's when I got (unintelligible) killing me, man. So I end up calling him back. He goes, "I think I really messed up now." Was like, "(Don), what the hell's going on?" Um, I kick myself because I - hindsight, I wish I'd have picked up on some of the signs, but he was such a spaz, I didn't even - didn't even think that, you know, he was - anything other than being normal there was something more to it. So um, when he called, he said, "Hey, you know what? I - I was uh, kinda freaking out about some stuff. I got a call from," how did he refer it - from a detective, I believe it was, um, and he goes - and - and the message that I got - I had it on my - on my phone and I was trying to save and accidentally erased it. I'm like, "Dude, slow down. Slow down. What - back up - back up. What's going" he goes, "Well, I kinda freaked out and a panicked and I called um, Chief (Vasquez) 'cause I was tight with him." Like what? Uh, so he said, "Yeah, I called and talked to him," and - and he uh, um, kinda told him what was going on. "I was - I was worked up about this." I go, "Dude, you're killing me." I said, "Look, if there's something more to this," I said, "Dude, I mean, you screwed up. You just jump like two chains of," you know, of uh, you know...

RIGHTHOUSE: Command?

RIDDLE: Command, yeah. And uh, and let me back up, but - 'cause prior to that when he first called he didn't work for me at the time. So he was working for (Terrance Sharlo). He had just gone over to work for (Terrance) and so called and gave (Terrance) some heads up. Said, "Hey, you know, he just - he called about this. I don't know what's going on. He's a little worked up, but just let you. I mean he's working for you. I think I've dealt with it, and kinda took care of it." Then I get the next call from him

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about that um, and uh, he uh, saying that he's worked up and concerned about it, and he's got a - a message, let me make sure that's right. I - I, I mean I may have talked to him af- after that when he was getting en route - getting en route to go downtown because I know I called and talked to (Sharlo) and said, "Hey, um, he called and talked to (Vasquez) and totally jumped both of us and lieutenant and captain." I said, "You know we gotta get to them and let 'em know what's going on." I said, "If it works for you, do you want me to give lieutenant a call or do you wanna do it, or what do you wanna do?" And he goes, "No, I'll handle it. I'm on my way in." I said, "Okay, I'm changing. I'm on my way in too, um, and we'll deal with it," and then I talk with him again on the phone, I believe, and uh, he said, "I just got - I got a message I'm supposed to - they want me to go down and talk to (Holden), and uh, I said, "Okay," You know it's - I mean that's - I said - I said - I said, "Mike's a good guy." I said, "You know you - you need to go down talk," "Well, I'm kinda freaking out and I'm worried about what they think," or something along that line. I said, "Look." I said, "What - is there - is there more than going on you gave this girl your phone number," I said, "Cause that's not a big deal." I said, "The big deal now is you jump the chain of command. People are gonna be pissed," and that's really what I was gearing is what the big issue was um, and I didn't get much of a response back from him other than he was saying something, "Well, I just don't wanna see my name on the news," or something like that and, you know, "Having my son see that kinda stuff," and at that point I was like, "Dude, what - what the hell's going on?" I said, "Is there more than what were talked about?" "No - no, that's - that's all it is." I said, "Well, dude, you need to go down and talk to 'em. You need to go down and deal with 'em," and - and so (Mike) - trust me, I said, "I've known (Mike) a long time. He's - he's a good guy. I mean he's pretty straight up about things. Just go down," I said, "Where - where you at right now?" 'cause I knew he was - he was working. He was by himself. I said, "Where you at? I'll - I'll - I'm on my way in. I'll come meet you at uh, we'll go down - I'll go down there with you, and you can go down and talk to him." My goal was to try and get him - get him down there, and uh, he goes, "Well, I'm just - I'm getting off on Pershing right now." I said, "Okay, good." I said, "You need to call right now - call (Holden) and tell him you're getting off the freeway and you're on your way down there." So um, and I'd actually called and talked to (Mike), too, in between one of the uh, the - the second time that he called, and uh, said, "Hey, you know what? He's driving around out there." I said, "I don't know what's going on. I'm trying to get him to come down there." I said, "Do you want me to go meet him? Do you want me to get down there? What - what do you want me to do?" And - and (Mike) said uh, "No, he just - he just needs to come down here. It's not a big deal." I'm like, "Okay." I said, "Well, let me, you know, try and get him back down there." That - then I had the conversation with him getting off on Pershing. I said, "Well, just call him and let him know that you're on your way there," and then I indirectly instead of going trying to find where he was, I went to Southern Division. When I got down there I was gonna hook up with (Sharlo) and uh, (McMannis), and (Anastasia Smith) to make sure they

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were 10 4 what's going on. So, I get there run into (Sharlo). The lieutenant and captain are gone and uh, then I - next message I get was secure his personal vehicle in the parking lot, and that's when like the light went on really bright which maybe shoulda gone bright earlier, but I was like, aw, shit, you know, that there was, you know, something more that was going on to it. So uh, that's kinda the way things went. I mean there were some text messages you had back and forth after finding out about him - after he finally got down there I started getting calls from his wife um, because I had met her actually at the hospital when he had had a - I would say a panic attack or something. I don't know. Thought he had a heart attack um, a few months earlier and I take - took him down to the hospital and hung out with him there the whole time and his wife came in. That's the first time I kinda met her. Um, then I met her one other time when the whole squad got together for dinner, like as a squad kinda thing. Uh, but then she - she started calling saying, you know, "I'm trying to get a hold of (Don). He's not answering." "Well, I don't - I - I don't know where he's at. I haven't seen him. If I see him I'll have him call you." I knew where he was but I hadn't seen him, and I said so, you know, I - I don't know what's going on. Then she sends me a text, you know, "I'm worried. He's freaking out. I don't know what's going on." I said, "I don't know what's going on either. As soon as I see him I'll have him give you a call," and that was kinda the last conversation I had with her. There's a text and a phone call, and then I just didn't answer anymore. Uh, and uh, like I said, then - then I heard, you know, go secure his car for uh, you know, at the - put somebody out on it so that it doesn't get uh, get messed up or anything. I mean that's - that's about it. Then I get - a period of time goes by. I go away to the - the sergeant school for the two weeks and I get a call from (Holden) to talk to (Holden), and I talk to him on the phone for a little bit then I end up talking to (Leslie) for a little bit. Then I end up talking to uh, DA's Office. They came and interview me about all the stuff that was going on, and - and here with you, so.

RIGHTHOUSE: All right.

RIDDLE: Hopefully that short cuts stuff a little bit, whatever other questions you had.

RIGHTHOUSE: You - you talk to (Moncrief) multiple times on the phone. He left you a couple messages.

RIDDLE: Yes.

RIGHTHOUSE: And some text messages. Did you ever meet him in person?

RIDDLE: No.

RIGHTHOUSE: To discuss any of this?

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RIDDLE: No.

RIGHTHOUSE: It was all on the phone...

RIDDLE: No, all on the phone.

RIGHTHOUSE: ...text messages.

RIDDLE: Yeah.

RIGHTHOUSE: Okay, and his demeanor you're basically saying he was freaked out, kind of a spaz, worried.

RIDDLE: But - yeah, he was but it wasn't...

RIGHTHOUSE: Calling the Chief's office.

RIDDLE: That freaked me out. I'll be honest with you. When that...

RIGHTHOUSE: But he was concerned about something.

RIDDLE: ...that - well that - I - I - I was fine before. That kinda set me off and I was trying to figure out what the hell was going on, uh, 'cause when he did that, and I - sometimes I didn't always understand the direction he went on things and why he got so worked up about stuff and - and until this time there was never anything to be worried about, um, I mean, 'cause I had him - kinda got him trained on doing search warrants and I mean, so any time I got him out to do an investigation sometimes he was unsure about it. He was like, "Did I mess up on it?" "Dude, relax. Just relax."

SAYASANE: Very - very high strung.

RIDDLE: A little bit, yeah. So I - that - that wasn't out of the ordinary for him. Out of the ordinary was when that call was thrown into the Chief. That blew me away and freak me out. I was like oh crap, 'cause now I was like, you know what? I - I don't know what's going on. Now it's gone way above and I haven't - I personally haven't talked to the lieutenant. I personally haven't talked to the captain, and I talk to (Terrance Sharlo), who is a sergeant, who I know was getting ready to pass that information on. We were getting ready to meet with him, but it - it totally went past that. So I'm like, crap. You know so that - I was - I was worried about that.

RIGHTHOUSE: What all did (Moncrief) tell you about the contact he had with this [REDACTED]?

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RIDDLE: Uh, all I knew - all I remember him telling me is...

RIGHTHOUSE: He said he got the phone call from her...

RIDDLE: The contact...

RIGHTHOUSE: ...and that's why he was worried. What did he tell you about the contact with the female?

RIDDLE: I don't even - to be honest with you, I don't even - I don't remember whether he had - he actually spoke with her on the phone or whether it was a voicemail or a message. I - I - I don't even remember to be honest with you. I - I - I - I just...

RIGHTHOUSE: But what did he...

RIDDLE: ...I know he - he got - he receive some kinda information about calling her back, and then one of the other times he said he received a call from a detective um, regarding her, and that's - that's the only time I - I don't ever remember him telling me, "I had this conversation with her, and this is what she said."

RIGHTHOUSE: What - what did he tell you about the initial contact?

RIDDLE: Oh, the arrest?

RIGHTHOUSE: Yeah.

RIDDLE: I - I don't remember him going into details about - about arresting her. I mean, I - and I don't even know that he told me. I knew for a 10 - I think it was for a 10 8 51, but I think that was when I pulled up the information, saw what the arrest was for, that I - that I caught that. I don't remember. He - he may have told me that. I - I don't remember, but I remember it was 10 8 51. Um, I - I don't remember going into a whole lotta detail about her because I wasn't that concerned about - about any of this stuff at - at that time because it was, all it was, was I hooked up somebody - I kinda, you know, talk with her on the way down. I think she's gonna be one - 'cause she was a gangster and just gonna have a lotta information that might be helpful down the road, which is what I was kinda mentoring and trying to get him good at doing, and he was doing a great job at - at the, you know, the gang and graffiti and all that kinda stuff down there, and uh, I mean, I - I - all I - all - all I assumed and talk with him about really the direction was, "Hey, it's not a big deal. That's good. You got somebody calling you back and, you know, hopefully we'll get her hooked up with somebody and get her, you know, throwing some information to cancel some stuff, and I - I - I don't remember getting a lotta details to be honest with you.

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RIGHTHOUSE: Okay, when - when he calls he's all freaked out. He told you he screwed up. He said he made a mistake.

RIDDLE: Right.

RIGHTHOUSE: Did he explain...

RIDDLE: Yeah, he said - he said, "I think I messed up.

RIGHTHOUSE: (Unintelligible).

RIDDLE: I think I gave her my phone number." I'm like, "Okay." He goes, "Well, I think that's against our policies." I said, "Well, not that I'm aware of, but, you know, I don't know. I - I'm not - I don't have the policies memorized, but I don't think that's any big issue. Um, he goes, "Well, you know, I - I - it was my personal number. I think that's a - that's a problem." I said, "I - dude, I - I don't know. I - I don't see it being as a pr- I - I don't know what's going on. I don't know why you're so worked up. This is not a big deal." I said, "It's actually a good thing. I'll get a hold of this detective," and I went through that whole route with him. That was the gist of the conversation. Um, you know, I - I don't - I don't remember going into other details with him about any of that stuff. Uh, so I mean, I - I don't know what else to tell you other than what I did.

RIGHTHOUSE: And you said you've given your telephone number out to people?

RIDDLE: Oh, yeah.

RIGHTHOUSE: Even your telephone number out to females?

RIDDLE: Oh, yeah. I - I - I'll be honest with you. The - the best CI's that I ever had were the females. I mean - and uh, but I mean, I - I - I know how to deal with - how to work with that. I know you have to have (unintelligible) and deal with all that stuff all the time as I'm sure you do deal with that stuff, uh, which is when he got the call back, I thought, "Hey, dude. This is not a big deal. Here's what we do. When she calls back we'll get her setup and we, you know, she meets with the detectives and, you know, you hand her off, and that's another good day."

RIGHTHOUSE: Do you think it's proper to give your telephone number out to a female to cultivate as a CI?

RIDDLE: Well, obviously, I've done it a buncha times. So I mean, I've given my cell number out for them to call. I still get calls from - usually when they get arrested, but...

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RIGHTHOUSE: Would it - would it necessarily worry or concern you if you gave your phone number out to a female CI - or a female that you wanted to be a CI or wanted information from, would it concern you that she called you back?

RIDDLE: No. I mean...

RIGHTHOUSE: Would - would you...

RIDDLE: ...that's how - that's how I contact 'em.

RIGHTHOUSE: ...would you be freaked out if a female you gave your phone number to called you back?

RIDDLE: No, that's how I got all my CI's.

RIGHTHOUSE: All right. Did it - did it seem - did it seem odd to you that (Moncrief) was so concerned and freaked out over a female calling him back when he, himself gave her the phone number?

RIDDLE: I'm sorry, back up. So...

RIGHTHOUSE: Did...

SAYASANE: I think what he's asking is...

RIGHTHOUSE: ...did it seem - did it seem odd to you that when (Moncrief) calls you and he says, "Oh my god. I made a mistake. I'm really freaking out," you know, whatever, "Oh my god," that what he did was give his phone number to a female and said, "Hey, if you got anything call me."

RIDDLE: Right.

RIGHTHOUSE: Did it seem odd that he's freaked out that someone he gave his phone number to called him?

RIDDLE: Well, obviously now it does. At the time it didn't. I mean it - it - it - because that was his normal behavior to kinda be a little high strung like that, and I mean he - he usually get upset or upset - he used to get worried I would - probably the easiest way to say it, about things that really there wasn't anything - any reason to worry about. Um, you know, I use to tell him, "Dude, your intentions are to do this, and this, and this, and you're - and you're being noble in what you're trying to do," which is what I - I - a text

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that I sent him, um, I don't know if you ever read it or you've gone through all the stuff.

RIGHTHOUSE: Yes.

RIDDLE: I'm sure you did. You know said, "Dude, you're - you're doing the right thing." So I mean, even the text I sent him, which was fucking long, I know, and I still have all that stuff, was, you know, "Don't stress about this." I said, "You've - you've done the right thing. If you're worried about somebody giving your phone number and somebody calling you back that this is a bad thing," I said, "it's - it's not a big deal. It's just how we handle it from here," and that was the conversation we had. I didn't - I mean, obviously now, obviously I know there's a lot more to it, but at the time I - I didn't think it was a big deal. His behavior was unfortunately somewhat normal for him being worked up.

RIGHTHOUSE: So as worked up as he seem to be over something that seems to be very simple.

RIDDLE: It did, but that was...

RIGHTHOUSE: He gave - he gave...

RIDDLE: ...but that was normal.

RIGHTHOUSE: Okay. He gave his number to somebody and said, "Hey, call me," and they did.

RIDDLE: Right.

RIGHTHOUSE: And he's that freaked out over it. Did you question him about that at all? "Why are you so freaked out?"

RIDDLE: Ye- yeah, and I...

RIGHTHOUSE: Did you ask him direct questions about what may or may not have occurred?

RIDDLE: Well, I think I said that to you before. I mean, the only conversation I had with him was, "Well, dude. Her giving you the phone number is not a big deal. I mean if she calls you back and we get her plugged in with the detective and you guys sit down and, you know, you hand her off to somebody else." I said, "You know is - is there - is there more? Is there something else?" I mean, uh, other - and - and, "No, I just - I gave her the number but I gave her my cell phone number. I think I messed up." "No, just trust me. It's not that big a deal." So I kind of put it to rest that it wasn't a big deal; didn't worry about it too much until things started progressing.

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PINCKARD: (Don)'s the kind of guy that if you say, "Good morning," to him he'll ask you, "What do you mean by that?"

RIDDLE: Exactly.

PINCKARD: I mean that's...

RIDDLE: And - and I don't know how to articulate it any more.

PINCKARD: You - you guys didn't have an opportunity to uh, to interview him because he - he resign uh, prior to being interviewed, but uh - uh, I mean, I can tell you, I've spent hours on the phone with him and he is just...

RIDDLE: Excuse me just a second.

PINCKARD: ...very, very uh, he's very suspicious. He's very emotional. He's - every conversation I've had with him has been uh, some aspect of having to, "Okay, calm down. You know you're getting spun up over nothing. You know that's not healthy. Let's get to what we need to talk about." I mean, that's just the way he was.

RIGHTHOUSE: Did you have any inclination from talking to (Moncrief) - and I'm gonna phrase this in a...

RIDDLE: Excuse me.

RIGHTHOUSE: ...different way here, but if there was anything sexual in nature however slight - attraction to one party or the other involved in that situation with (Moncrief) and this girl?

RIDDLE: No. I mean, well not until I heard that he needed to go see (Holden). I mean, that was the first point. I was like um, you know, I still didn't know what it was, but I'm assuming there was a little more - more to it, because he was directed to go down there, but my biggest - my first thought was, you know, it's because he called directly up to the Chief and it started flowing down, and I wasn't sure what role (Holden) was playing -- if he was a captain in charge of a certain area. I - I didn't know exactly what he was doing. I just, you know, like I said, I told 'em. I said, "Look, he's pretty straight - pretty straight shooter. Go talk with him. It's not a big deal." Uh, I have no idea what his thought of her was or I never had any discussion with him about her.

RIGHTHOUSE: And do you - do you say anything to (Moncrief) about her being interested in him?

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RIDDLE: You know uh, he - he may - I think - yeah, I think he did say something about it. I think - I think she was kinda - kinda sweet on me. Uh, yeah, I think - I think I remember him saying something, "She was kinda sweet on me," and I said, "Well, that's not a big deal." I said, "Unfortunately, I had a lotta my CI's, you know, really like me and," I said, "It was usually the rather big ones um, that were really, you know, taken," I said, "And - and that's fine." You know if I'm a nice guy and they're used to being treated terrible all the time and I'm actually treating them nice and they actually, you know, like me as a person, that's fine. I use it to my, you know, my benefit to, you know, to get what we need to get out of 'em, and - and uh, and use 'em as a successful source. So when he said that I - I remember kinda thinking about that, but I didn't - I - I didn't - I didn't even put it together that there was something else going on.

RIGHTHOUSE: So you talk to him about some type of attraction that she had.

RIDDLE: Well, I just - I - I - I - I, Well, I just remember him saying something about, "I think she was sweet on me."

RIGHTHOUSE: And you had...

RIDDLE: And I remember laughing and saying, "Yeah, I - I - I've had that with some of the girls I had," and just like I told you, I - but I don't remember it going any further in any other discussion other than - than that, 'cause we went right back to the, "This is not a big deal. We'll get you hooked up with a detective."

RIGHTHOUSE: Did (Moncrief) tell you that he un-handcuff (Flores)?

RIDDLE: And I - I don't remember any of that conversation. That was what I talk with um, (Holden) about and he had asked. He said, "Did she mention anything about being un-handcuffed?" and I said I - I don't recall him saying anything about that, and I don't remember anything in the conversations or text messages or anything about that. If he did, I - I - I don't remember. I mean, I try and remember as much as I can. Ask my wife. I don't remember everything that happens and every conversation I have, so, uh, you know, I apologize. I - I - I don't remember having that conversation.

RIGHTHOUSE: You don't - you don't remember him saying anything about having un-handcuffed her?

RIDDLE: Un-handcuffed her? I - I don't, and I - and that's been the whole problem with this whole thing all along, and I've gotten hit up by uh, Sex Crimes about it, and - and if he did, I didn't take any uh, I did- obviously I didn't focus any attention on it enough to even remember it. So I don't remember the - the depth of it. I mean, I'm not saying he didn't. I - I don't know. Maybe he did. I - I - I - but I don't remember having that conversation with him.

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RIGHTHOUSE: So if he woulda told you something about being unhan- or having un-handcuffed her, you think you would question him about that?

RIDDLE: Probably, but I - I mean, I can't answer that because I don't remember having...

PINCKARD: You don't remember.

RIDDLE: ...having the conversation, so, you know, how it came out, I - I don't know. I mean, I can't...

PINCKARD: I don't want you to guess and I don't want you to speculate.

RIDDLE: I don't. I mean, I - I just -

RIGHTHOUSE: So you don't. Do you recall giving (Moncrief) any advice about what to talk to the Sex Crimes about concerning handcuffing?

RIDDLE: Well, not if I don't remember having the conversation. It's a little hard to say I said anything 'cause I don't remember having a conversation. So, I mean, I would never - I mean, I directed him to go - ask him to go down there and talk to him. I mean, that was my whole goal was to get him down there uh, and I - I mean, I've been on this job long enough. I know that being straightforward about things and be honest about stuff is - even if you do make a mistake is the best way to, you know, work your way through stuff. I never would've, you know, intentionally directed him to go down there and be untruthful about anything, which is what I keep kinda getting thrown my way, but I - I don't remember having the conversation with him, so I - I don't know what - what else to tell you about how that went when I don't - I don't recall having the conversation.

RIGHTHOUSE: Would you have told him anything about not volunteering information or anything around that - those lines?

RIDDLE: I - I - not...

RIGHTHOUSE: Don't - don't tell 'em if they don't ask, anything like that?

RIDDLE: Not - well, I mean, like I said, I never would've intentionally directed him not to be truthful. That would've of been my - I mean, I never would've done that intentionally, so I - I - I don't know. I mean, during our conversations, I don't know if - how things were perceived or what - how - how it happen, but I don't remember having a conversation with him about the cuffs. I don't remember directing him to be untruthful about anything, which I'm assuming what you're asking. I mean, if anything I was

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trying to do everything I could to try and get him to go down there and deal with the drama that he had, which like I said, to me at the time was the fact that he jump those - that chain of command and I'm just - I was kinda freaked out about the fact that it - it went that direction and unknowing what was happening, and even to this day I still don't know other than watching the news, what happen with this whole thing.

RIGHTHOUSE: Okay. When you talk to (Holden) it was about five days, maybe six days may- maybe after uh, the initial phone calls with (Moncrief). It was like on the 25th, and I think your first phone call was like the 18th with (Moncrief).

RIDDLE: I - it's - it's - it was - it was close. I don't remember exactly 'cause I know...

RIGHTHOUSE: It...

RIDDLE: ... 'cause I know I'd left. I'd - I'd left here went - actually went up to the school in uh, Orange County, and I think I'd been up there for several days prior to him calling, but it was on- it was just a two week school, and it was during the first week that he called. So I mighta been, you know, second or third day, something like that.

RIGHTHOUSE: When you talk to (Holden) you had mentioned - or do you recall mentioning to him that uh, you had the conversation with (Moncrief) about uh, how she mighta been sweet on him and coulda had a crush on him...

RIDDLE: Well, see, I uh...

RIGHTHOUSE: ...and...

RIDDLE: ...I - I...

RIGHTHOUSE: ...you explain - you explain the same story that you just explain to...

RIDDLE: Let me put it this way. I - I've been interviewed several times about this, and what I've said hasn't been any different every time I've sat down. So uh, you mentioned the part about being sweet with - or about him being attract to her, that I do remember se-remember that, and I - I would assume that I probably told (Holden) something along that line, I guess. I - I - I don't know, but I mean, I - I - I don't - I don't remember the whole conversation that he - he and I had. It was basically the same as we did.

RIGHTHOUSE: All right, in your - in your transcripts with (Holden) it mentions the same story you just told me.

RIDDLE: Well, that's...

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RIGHTHOUSE: So you - you mentioned that uh, (Moncrief) said like she was interested him kinda thing -- had a crush on him. You talk to him about uh, exactly what you just told me, that maybe he had a crush on him and you said that you had a few CI's that did the same thing.

RIDDLE: Mm-hm.

RIGHTHOUSE: The heavyset ones.

RIDDLE: Yeah.

RIGHTHOUSE: Etcetera.

RIDDLE: That's kind of - yeah, unfortunately, but yeah.

RIGHTHOUSE: About four months later you had the interview with the DA?

RIDDLE: Uh...

RIGHTHOUSE: In June.

RIDDLE: Okay.

RIGHTHOUSE: And during that interview do you recall them asking you questions about if there's anything sexual in nature about the incident?

RIDDLE: Well, I remember them asking if there's any sexual in nature, but at that point, I didn't know of anything sexual in nature. Now are you referring to the fact of somebody saying that they were sweet on somebody is sexual in nature?

RIGHTHOUSE: Well, that's what I'm asking you.

RIDDLE: Well, I - I - I - had they asked me what you just asked me they would've got the same response I gave to you. I don't remember how they worded or what they said, but during the whole conversation all the things that I had back and forth with him, I never knew that there was any sexual type stuff that was going on other than, you know, and I wouldn't necessarily say somebody being sweet on somebody is a sexual type thing.

RIGHTHOUSE: Okay. So in the (Holden) interview you talk about there being some kind of a crush thing, interested thing, whatever, during the DA's interview. That's why I'm asking.

RIDDLE: Right.

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RIGHTHOUSE: 'Cause we need to...

RIDDLE: No, that's fine.

RIGHTHOUSE: ...look at the two different ways it was said, and I just want...

RIDDLE: Okay.

RIGHTHOUSE: ...you to clarify how it came across. They asked something here similar to uh, "Did you ever bring up that it was like something of a sexual nature?" and you said, "No, they said nothing like that."

RIDDLE: Hm.

RIGHTHOUSE: And you said, "I didn't even - didn't even register to even, you know, ask."

RIDDLE: And it didn't.

RIGHTHOUSE: So in the DA's interview when they're asking you, "Is there anything of a sexual nature," what were you...

RIDDLE: Well...

RIGHTHOUSE: ...what were you...

RIDDLE: What was I thinking? Everything is plastered all over the news, and we had (Hayes) all over the news - all this other stuff - well, the sexual stuff, and it never even cross my mind that it'd be something like that. So that's what's in my mind when they ask - ask something like that. Um, if they'd asked, you know, "Did he make any comment about her thinking he was, you know, sweet or something like that," I mean I'd give 'em the same answer I would've given to you.

RIGHTHOUSE: So the way the DA phrased it...

RIDDLE: Well, I - I assume because I mean, I would've told them the same thing I would've told you had - had you asked it, and if you would ask me if there was - was there anything sexual in nature that I picked up the answer is no. I didn't think there was uh, any sex type thing that was going on until it hit the fan.

RIGHTHOUSE: Okay. So the way the DA phrased it you were thinking of like sexual acts, is that correct?

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RIDDLE: I - I'm assuming, yeah. I mean that'd - that'd be the safest way...

RIGHTHOUSE: So you told them no.

RIDDLE: Well, and that would be correct, and I'm just telling you now, I never - never believe that there was anything sexual in nature that was going on. Now I would consider her saying she had sweet on him or something as being sexual in nature at that point - I mean, I never would consider that with any of my sources that I had for years. I mean, we were friends and stuff, but there was never anything sexual in nature about it whether they liked me or not.

PINCKARD: So the DA's ter- uh...

RIGHTHOUSE: So he's using different terminology and you're - you're answering that question with that different terminology in mind.

RIDDLE: Well, if you're asking me if somebody had - if there was sexual in nature, that's what I'm thinking.

PINCKARD: You're - you're thinking of some kind of sex act or sexually explicit...

RIDDLE: Yeah, especially with all the stuff that was going on at the time, and all this hit right when all the (Hayes) stuff was going.

PINCKARD: Right.

RIDDLE: That's what's going on in my mind, and I had no fucking clue this is gonna be driving down that same road.

PINCKARD: You know what the sergeant was trying to figure out is - is uh...

RIDDLE: No, I - yeah.

PINCKARD: ...Is..

RIDDLE: I - I - I - I get - I get it.

PINCKARD: ...is there a discrepancy between...

RIDDLE: I - and I understand.

PINCKARD: ...what you told (Holden) and what you told the DA...

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RIDDLE: Right.

PINCKARD: ...were they basically different questions.

RIDDLE: Right. No, and I - I understand. I can see how that may have been taken out of context but I'm telling you right now I had - if you ask me directly that, that's the way in my mind, I thought about it then. That's still the way I think about it now. Had I known then what was going on, I probably would've thought about it a little bit more along the line of sexual in nature rather than that, but I didn't know at the time what was going on with that.

RIGHTHOUSE: Okay. And then with the un-handcuffing, when you talk to (Holden) you told him that you didn't recall any conversation...

RIDDLE: Correct.

RIGHTHOUSE: ...about their being un-handcuffing.

RIDDLE: Correct.

RIGHTHOUSE: When you talk to the DA's interview, you told 'em that you did remember that he un-handcuffed her.

RIDDLE: No.

RIGHTHOUSE: You made several statements like, "On the - on the handcuffing I just vaguely remember him throwing that out there in one of the phone conversations."

RIDDLE: Well, no. Yeah, here - here...

RIGHTHOUSE: And - well, I wanted to finish, so let me...

RIDDLE: Sure - sure, go ahead.

RIGHTHOUSE: And then a couple time you said, "Like I'm talking about the un-handcuffing." You say, "Right - right." And then you say, "And I don't remember the exact (unintelligible) of how that went, and when I talk to uh, (Mike) and uh, (Leslie) they were asking about it, and I said, "Man, I - I don't specifically remember him going into that, and I don't - I don't even remember how we talked about it."

RIDDLE: Right.

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RIGHTHOUSE: So you're discussing that.

RIDDLE: Right.

RIGHTHOUSE: But then you tell her - you tell the DA that uh, he did tell you that he un-handcuffed her and you were assuming that like at Colinas she was un-handcuffed or something, or a little bit to stretch her arms and, you know, or something like that."

RIDDLE: Well, and here - here's the deal, is, you know, ob- obviously there was some kinda conversation that I didn't pick up on, or this - I wouldn't be sitting here talking to you right now, and when I told (Holden) I didn't remember anything, I didn't remember anything, and then I - and I'm getting hit up, you know, again by Sex Crimes, getting hit up, obviously there was something that went on as far as conversation, and I don't remember, and the fact that I didn't put any - any uh, I guess credibility to anything. I - I - I never assumed that there was anything wrong with what happened or I - I probably would've registered something in my mind that hey, I need to hit him up and - and deal with this. 'Cause if he had told me that, "Hey, you know I had her on un-handcuffed or these things happened," well, yeah, the red flags would go up. No red flags went up, but obviously I'm assuming that he obviously made some comment to me about that, or we wouldn't be sitting here going over this stuff.

RIGHTHOUSE: Well, and that's...

RIDDLE: And I - and I don't - I - but I don't remember having the conversation with him. So I'm sitting here trying to articulate what may have happened or what might he of said, and why didn't I pick up on it? Why didn't I catch it? Because obviously I didn't, so if he made some comment about being handcuffed or un-handcuffing, and that - that's kinda the direction they were - they were going asking, "Well, how - how would you have - how would you have um, looked at that? I said, "Well, due to the fact that I didn't take any - give it any uh, credibility would've been, you know, did I un- un-handcuff her at (Los Colinas)? She's gonna stretch her arms or something like that." I said, that's probably the direction it - it would have gone in my mind because nothing hit my mind that hey, this - anything was bad or wrong that was done here. Does that make sense?

PINCKARD: It's not a credibility issue. It's what was significant to you at the time in your conversation with (Moncrief) and...

RIDDLE: Right.

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PINCKARD: ...did it register in a way that uh, would indicate, you know, some specific concern. Uh, but what I - I think what uh, Sergeant Righthouse is asking is, you know, what happen between the time that you're talking to (Holden) and...

RIDDLE: Right, and - and - and why when I talk to him.

PINCKARD: ...and talking to the D.A.

RIDDLE: And I - and I - I understand...

RIGHTHOUSE: When you talk to (Holden) - that's what I'm trying to clarify.

RIDDLE: Yes, sir.

RIGHTHOUSE: When you talk to (Holden) and he asks you about...

RIDDLE: I don't remember.

RIGHTHOUSE: ...un-handcuffing...

RIDDLE: Right.

RIGHTHOUSE: ...which was maybe five, six days after you talk to (Moncrief).

RIDDLE: Right.

RIGHTHOUSE: You told (Holden) that you didn't know anything about un-handcuffing.

RIDDLE: I - and I didn't.

RIGHTHOUSE: When you talk to the DA...

RIDDLE: Right.

RIGHTHOUSE: ...you tell then you did know there was un-handcuffing. You made statements like this one here. I wanna read it to you.

RIDDLE: Okay.

RIGHTHOUSE: It's fair.

RIDDLE: Okay.

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RIGHTHOUSE: It says uh, "I would like - you know what? I vaguely remember him saying something about un-handcuffing, but I didn't remember the - the details to it. I don't remember how that came about."

RIDDLE: It - it's...

RIGHTHOUSE: But you're telling the DA that you do remember him saying something about un-handcuffing. You don't remember the details, but you remember him...

RIDDLE: Right.

RIGHTHOUSE: ...saying something about it, but you told (Holden)...

RIDDLE: Right.

RIGHTHOUSE: ...you didn't remember anything.

RIDDLE: Right - right.

RIGHTHOUSE: So what's the...

RIDDLE: I understand.

RIGHTHOUSE: ...why did you tell (Holden) that?

RIDDLE: And - and - and here's the deal th- throughout this whole time I - I'm - I'm beating myself up, number one, because I didn't pick up what was going on, and it killed me, and it really tore me up what the - (Don), 'cause I like the guy, and (unintelligible) I mean, I was fricking sick to my stomach that this whole thing happen and everything went down the way it did. Um, and - and I'm beating myself up trying to - what did I miss? How - how - how did I not get the clues? How do I not pick this stuff up? Having that conversation with (Holden), I - I - I didn't remember having any kinda conversation with him about handcuffs. As I get hit up by um, (Leslie) in Sex Crimes, she kinda ask the same kinda stuff and she says, "Well, you know, is it possible during the conversation you had with him that it was, you know, more like uh, he just, you know, took her handcuffs off at (Colinas)." I said - I said, if - if there was a con- if we had that conversation I'm sure that's the direction it would've been because it didn't register that there was any issue or anything - any problem with it, or I would have keyed in on it more than obviously I didn't. So having the conversation with the DA's Office I'm going - I'm still thinking the same things that I - conversation I had with (Leslie) and had with him. Obviously there was probably something that was said that I'm not remembering or I wouldn't be sitting here today going over this, and I don't

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know how to articulate it any better, but I don't remember having a specific conversation about it. If he did, it was to the extent that I didn't click in that it was an issue to have. So when there was examples that were thrown out by (Leslie), "Well, is it possible it was something like this?" Well, yeah, sure it's possible because I - him un-cuffing her at (Los Colinas) letting her stretch her arms, I don't see it as a big deal. I've done that all kinds of times to 10-16's, you know, my arms hurt. Okay, "I'll let you stretch your arms a little bit then we're gonna get these in, and then they'll get off, you know, for a little while." I said, "Yeah, that's - that's possible because it didn't register -- didn't click in my mind as being anything that he did wrong. Had it been something he had done - I recognize he'd done wrong, well, yeah, I think I woulda remembered it a little bit better just like a lotta the other stuff."

PINKARD: So when the sergeant asked you, you know, what is the difference between uh, or what has occurred between your conversation with (Holden) and your conversation with the DA, the - the answer is, the passage of time as well as being questioned and re-questioned and questioned again 'causing you to go back and re-think about what...

RIDDLE: How - how - exactly.

PINKARD: ...conversation you had.

RIDDLE: Exactly.

PINKARD: Okay. I don't know if that answers your question.

RIGHTHOUSE: It - it might. So basically when you talk to (Holden)...

RIDDLE: Mm-hm.

RIGHTHOUSE: You're saying you didn't remember.

RIDDLE: Right.

RIGHTHOUSE: When you talk to the DA four months later you did remember.

RIDDLE: Well, let me tell you. Uh, even...

RIGHTHOUSE: You had a big - you had a big recollection of...

RIDDLE: My - my recollection was, if I did have a conversation with him about that, it wasn't to the extent that it was anything significant and - and that's the whole thing and - and - because I don't - I don't want to say that. I mean, I don't know, you - you may have

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the whole thing recorded. I have no idea, and even if it is, I still don't remember doing that, and I'm not saying it didn't happen because I just - I don't remember. I don't remember every...

RIGHTHOUSE: Remember ever doing which one?

RIDDLE: Back up.

RIGHTHOUSE: Alright I just want to be clear. You don't remember...

RIDDLE: Sure.

RIGHTHOUSE: ...doing which one? Telling (Holden) you don't remember or...

RIDDLE: Oh, no - no, I...

RIGHTHOUSE: ...telling the DA you do remember?

RIDDLE: No, I remember telling (Holden) that I - I didn't remember having the conversation because I didn't remember having a conversation about that. Um, had I did, I'd a told him. I - I - I've got nothing to hide. I'm - I'm not trying to - I'm not trying to, you know, save him. I'm not trying to, you know, do anything other than trying to do the right thing, which obviously has been backfiring like crazy um, and then having a conversation with the D - with uh - uh, with (John) uh, you know, like uh, and I don't know how to articulate any better than I've already said. I - I don't know that there was any significant to it, and obviously I must've had some conversation or this wouldn't have kept coming up. I just - I don't remember having the conversation, if it was, and it was significant I - I would have remembered it a little bit, you know? So I - I'm beating myself. Well, how - how did he bring it up? What was it that could've been said? And I'm trying to pick bits - bits and pieces of what everybody keeps asking me 'cause I mean, I've - I've been sitting in your seat doing a lotta - lotta fricking cases and I to- I totally understand. That's what pisses me off probably the most that I didn't realize it was probably uh, you know, a call that was coming in that was being recorded with him, and the detective and all this stuff. It clicked and it registered. I just don't wanna think that my guys are doing anything wrong, so it wasn't something that automatically pops into my head all the time, so...

RIGHTHOUSE: But the - but the difference in the two statements...

RIDDLE: No, I - I understand that.

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RIGHTHOUSE: ... un-handcuff statements is it just that you didn't remember? 'Cause you told (Holden) - basically in a nutshell, you told (Holden) no, there wasn't - you don't recall anything about un-handcuffing.

RIDDLE: I - I - and I don't.

RIGHTHOUSE: You told the DA you do.

RIDDLE: And my - my intent when I'm talking to the DA - because I had talked to (Leslie), talk to them, if - if we did have a conversation and I, like I said, I don't remember having a conversation with him about it, and I don't know how to keep saying that over and over again. If we - if we did it wasn't significant enough to the point that I thought anything of it - if, I mean, and - and had people gave me examples, "Was it because you thought he was doing this?" I said, "Well, that's possible 'cause that does seem like a big deal."

RIGHTHOUSE: Okay. Uh, had - had (Moncrief) told you - or if (Moncrief) did tell you...

RIDDLE: Mm-hm.

RIGHTHOUSE: ... 'cause in the DA's you say that you vaguely remember him talking about un-handcuffing the lady. Did you question (Moncrief) about the un-handcuffing...

RIDDLE: Obviously not 'cause I don't remember even talking about it.

RIGHTHOUSE: And why would you not question (Moncrief) if - if he's freaked out and acting crazy about just the telephone call and he happens to throw out, "Oh, and I un-handcuffed her at some point," why would you not question him about that?

RIDDLE: But I don't remember him even saying that, so I can't tell you how I would've reacted to it because I don't remember it. So as we're going through all this stuff, being interviewed over and over again about this stuff, I'm trying to go through and beat myself up trying to go what - what is it I missed? What did I not catch? Did he say anything and if he did, I don't remember the content of what it was, um...

RIGHTHOUSE: So if he did say anything about it would it be fair to say that you didn't delve into questions about the un-handcuffing?

RIDDLE: Well, obviously or - or I woulda remembered it. Yeah. I - I apologize. I'm trying - I'm trying to be...

RIGHTHOUSE: That's all right. We just want to make sure...

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RIDDLE: ...straightforward as I am.

RIGHTHOUSE: ...we're as clear as we possibly can be on...

RIDDLE: No, I - I understand.

RIGHTHOUSE: ...your statements.

RIDDLE: Like I said, I've got - I've got nothing to hide. I want - I wanna be straightforward about this stuff, and...

RIGHTHOUSE: After talking with the DA and telling them that you vaguely remember the un-handcuffing, did you contact Sex Crimes or (Holden) to tell them that you had...

RIDDLE: No.

RIGHTHOUSE: ...called something...

RIDDLE: No, because I - I - my conversation with - with the DA's Office, I didn't think was any different than what I had talked with (Holden) about.

RIGHTHOUSE: So you didn't remember telling (Holden)...

RIDDLE: Oh, no. I remember telling him I didn't - didn't remember anything. I'm tell- I'm tell- what I'm trying to tell you with this stuff is, I - I still - god, I don't know how to keep saying the same thing over and over again.

RIGHTHOUSE: I'm not trying to frustrate you.

RIDDLE: No, I - I understand that, but it's frustrating because I - I - I wanna be straightforward and give you everything, and I feel like I am, but I know it keeps getting hit up with the same question 'cause of the inconsistency with there with the other one. So I - I - I don't know what to tell you. I still at this day sitting here don't remember him specifically saying anything about handcuffed, un-handcuffed or anything about that, and had - and that - and - and it was the phrase of the questions I kept getting asked all the time, I assume that well, obviously he musta said something and I missed it. What was the content of that conversation? I don't fricking remember, 'cause if I had remember, I probably would've hit him up and ask- asked him something. Now when they're asking me what was, you know, do you - do you remember him saying anything? Just like I'm telling you may- maybe he did. I don't know. I - I don't remember him saying anything or I would have addressed it differently I would imagine. I mean, I - I...

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RIGHTHOUSE: So at the time had you delved into the un-handcuffing you would've remembered doing that. So you obviously didn't have a big conversation with (Moncrief) about un-handcuffing this 10-16?

RIDDLE: Obviously or I woulda remembered, and I - I don't know. I think I've said that over and over again. I don't know how to...

RIGHTHOUSE: I - no, that - that's fair.

RIDDLE: ...articulate it any different to you.

RIGHTHOUSE: I'm just trying to make sure I'm hearing what you're telling me.

RIDDLE: Right.

RIGHTHOUSE: And then when you talk to the DA you said you vaguely remembered un-handcuffing, but you didn't remember details. So then the question would be...

RIDDLE: Yeah, and - and - and you know what, and at that time...

RIGHTHOUSE: ...between the two interviews...

RIDDLE: Right.

RIGHTHOUSE: ...so when you talk to (Holden) you didn't recall and that's fine.

RIDDLE: Right.

RIGHTHOUSE: When you talk to the DA four months had transpired. You had thought your thoughts. You could've remembered it. So, when you talk...

RIDDLE: Well, no. I - I wouldn't remember anything any different. The problem is between this whole time I'm getting hit up about this whole handcuffing thing, and I'm assuming obviously there was a conversation that went on.

PINCKARD: I think we're getting wrapped around the axel on - on uh...

RIDDLE: Yes.

PINCKARD: ...semantics uh...

RIGHTHOUSE: I'm just asking if you vaguely recalled later that's okay. It's...

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PINCKARD: It's not an issue of recollection. It's an issue of deducing - now the first time you're asked a question on something that you didn't think was significant you just pass it off. I - I don't recall having that conversation. The next time you're asked the same questions in the same general area, okay, now it's a little bit more significant. The next time after that you're being asked the same general question...

RIDDLE: That's even more significant.

PINCKARD: ...it's even more significant and then what your mind is telling you based on the questions is obviously there must've been a conversation regarding handcuffing, but I can't tell you what that conversation was other than it was a vague conversation. So it's not...

RIDDLE: Correct.

PINCKARD: ...so it's not so much an issue - and we keep using the word, well, you know, you - you recall uh, four months later when you're talking to the DA, but you couldn't recall four days later when you're talking to uh, (Holden). It's not an issue of recalling four months later. It's an issue of now this point has been emphasized and re-emphasized and emphasized yet again to the point where clearly there must've been a conversation.

RIDDLE: Exactly. Thank you.

PINCKARD: Or they wouldn't keep asking me this question, but the first time I was asked by (Holden) it didn't seem significant and - and it wasn't something that registered in my head, so no, I told 'em, yeah, I - I don't - I don't recall that, but then by the time we get to the DA several interviews later it's very clear that that is a point of contention as he keeps saying otherwise I wouldn't be sitting here or talking about this. It's not that he recalls the conversation with (Moncrief) four months later. It's that he now knows that that's a significant issue and from the framing of the question it clearly occurred. So then it's, okay, well, let me try to speculate on what may of occurred. Uh, well, it was probably some general conversation about handcuffing.


RIGHTHOUSE: Okay, so let me - let me try to clarify this 'cause I'm trying to just...

PINCKARD: And I don't wanna put words in his mouth.

RIDDLE: No - no - no - no - no.

PINCKARD: That's what I'm hearing.

RIGHTHOUSE: And that - that's kinda what I'm hearing but and...

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RIDDLE: Well, and that's what I'm trying to say.

RIGHTHOUSE: Okay.

RIDDLE: Obviously it's not coming out right like all this other...

RIGHTHOUSE: That's all right.

RIDDLE: ...stuff is going on, but...

RIGHTHOUSE: But with the DA...

RIDDLE: Yeah.

RIGHTHOUSE: ...there's two different places where you say, "I vaguely remember. I vaguely remember him saying something about un-handcuffing her at some point."

RIDDLE: I - I - and I don't...

RIGHTHOUSE: So when you - when you say to the DA, "I vaguely remember her uh-hand- him saying he un-handcuffed her at some point." Did you truly have a vague memory of him telling you, "I un-handcuffed her at some point?"

RIDDLE: No. Because I - like I said, I'm - I'm going through this over and over again, and obviously like you said, there was some - something that was done that I missed, and so I'm trying at this point - trying to figure out how was it brought up. How was it said, because I - I - I just - I don't know how to answer those anymore - any other direction.

PINCKARD: Well, I think you - you've - you've answered it. I mean, and - and - and I - I guess - I mean, if I'm sitting where Sergeant Righthouse is sitting I'd be asking, "Well, you know, were you trying to be helpful, you know, when you're talking to the DA?"

RIDDLE: Yeah, and that'd be a fair way to say it. If - if - if the conversation did take place it wasn't significant and I - I wouldn't have - I didn't put anything to it, which is kinda what...

RIGHTHOUSE: And that - that - and that...

RIDDLE: ...what they were asking.

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RIGHTHOUSE: ...and that I understand like what Pinckard was saying. I - I agree when you were first asked.

RIDDLE: Right.

RIGHTHOUSE: So my - my question's kinda - I can't get there. My question's basically when you talk to (Holden) I understand maybe it didn't trip in your mind at the time. You weren't thinking about it, so you said, "No, I don't remember anything."

RIDDLE: Right.

RIGHTHOUSE: Whatever. Four months later you have a lotta time to think.

RIDDLE: Yeah - yeah.

RIGHTHOUSE: So if you do have a vague recollection that yeah, he did say something about un-handcuffing, but I glossed over it. It didn't matter to me at the time, so I don't remember what he said. My question is, once you had that vague recollection, did you talk to (Holden) to say, "Hey, when you - I first talk to you I said I didn't know anything about handcuffing, but you know what? I just got interviewed by the DA and I kinda do have a vague recollection that he said, "Yeah, you know what? He did say something about un-handcuffing her, but I didn't talk to him about it."

RIDDLE: Right.

RIGHTHOUSE: Did you update him...

RIDDLE: No.

RIGHTHOUSE: ...to say...

RIDDLE: No, I didn't.

RIGHTHOUSE: "Hey, I do have a vague memory of this."

RIDDLE: No, I didn't because...

RIGHTHOUSE: but...

RIDDLE: ...when I got done with that conversation with them, I didn't think it was anything different than what I'd had with him. The - the statements I still said to them was still the same thought - my thought I had - I had with (Holden). Had I thought down the

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road somewhere that, you know what? Oh, I do remember the fact that this ABC, or D happened, I would've given a call and told him that. I - I wouldn't of handed all this stuff - information that I had over to everybody if I was trying to hide anything from somebody.

RIGHTHOUSE: Well, I'm not saying you're trying to hide it.

RIDDLE: No, I'm - yeah...

RIGHTHOUSE: I'm asking if you corrected it.

RIDDLE: No - no, because I - I didn't feel that I - there was anything different in the conversation I had with him that I had with them.

RIGHTHOUSE: You didn't recall any differences. And - and the one thing I do wanna make clear though 'cause...

RIDDLE: Sure.

RIGHTHOUSE: ...the way you answered I wasn't really sure.

RIDDLE: Sure.

RIGHTHOUSE: To the DA at least two times maybe more if I read this, you tell the DA that you do have a vague recollection of the un-handcuffing. Did you truly have a vague recollection...

RIDDLE: Well, it's - it's va-

RIGHTHOUSE: ...or is that...

RIDDLE: Well, here's the deal. Just like you say...

RIGHTHOUSE: ...a misstatement?

RIDDLE: ...it's - it's - it's - it's probably more of a misstatement, 'cause it's - it's vague because obviously it happened or I wouldn't be getting hit up again over and over again about this whole thing, but the fact that it - it's - it's so vague, I don't even remember the content of anything that would've come out of it in the first place. So when they're trying to - and I'm trying to beat myself into how did that come out -- how did it happen, I - I - I still can't tell you because I don't remember.

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RIGHTHOUSE: All right, I'm good with that. I don't wanna - I don't wanna beat you up over it.

RIDDLE: Well, and I - I don't - like I said, I don't care. I mean, we can sit here and talk all night and get the same...

RIGHTHOUSE: No, I...

RIDDLE: ...information's coming out.

RIGHTHOUSE: ...I'm just trying to make it clear. I don't wanna make it more confusing. Uh, you received a text message from (Moncrief) in April that you provided in the DA's interview.

RIDDLE: Correct.

RIGHTHOUSE: Did you provide that text message to (Holden) or Sex Crimes knowing that there was a Sex Crimes investigation taking place?

RIDDLE: I was told that the whole thing was washed out and everything was - wasn't going anywhere, so I never forwarded the stuff up he had already quit.

RIGHTHOUSE: Who told - who told you that?

RIDDLE: I heard it from the lieutenant. I heard it from the captain. I heard from other people that things weren't going anywhere.

RIGHTHOUSE: You - you...

RIDDLE: It was - it was done, need to quit.

RIGHTHOUSE: ...you didn't contact Sex Crimes with that information that you had...

RIDDLE: That he had sent me another text?

RIGHTHOUSE: In which he basically admitted to some of the - well, not basically, but he did admit to...

RIDDLE: Right.

RIGHTHOUSE: ...un-handcuffing and etcetera, etcetera, that obviously went along with that case.

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RIDDLE: No, I was told that - that everything was - was washed out. He - he had quit. That uh, the DA's Office, nobody was going forward on anything. So, I mean if - and again, if I was trying to hide that I wouldn't give it to - to the DA's Office when they interviewed and ask me about it.

RIGHTHOUSE: Well, I'm not saying you tried to hide it. I'm asking...

RIDDLE: Well, no. I - I...

RIGHTHOUSE: ...when you got the text did you contact (Holden) to say, "Hey, you interviewed me about a Sex Crimes incident. I have evidence to that Sex Crimes incident," to turn it over to (Holden)?

RIDDLE: No, but like I said, I told you, I was told that everything was washed out, nothing was - was going that they had declined to go forward.

RIGHTHOUSE: Because you thought...

RIDDLE: The criminal case was done. It was over, and he had quit, and he was gone.

RIGHTHOUSE: And that was...

RIDDLE: And then obviously it's not when the DA hits me back up and starts asking me stuff about it.

RIGHTHOUSE: And that - that was in April.

RIDDLE: Yeah.


RIGHTHOUSE: You were interviewed by DA in June.

RIDDLE: Yeah. Well, like I said, when I ended up - ended up handing the stuff over to them is when I realized it was still going forward. I didn't know it was going forward until the DA called, said they need to talk with me, so, and that was one of the first things I brought up. I said, "Look, I got - there were some text messages that came through that you might be interested in," so.

RIGHTHOUSE: And after your DA's interview did you contact (Holden) and give him this info?

RIDDLE: Why would I?

PINCKARD: Well there isn't really a reason he gave it to the DA.

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RIDDLE: Why - why would I call him and give it to him when the DA's got it?

PINCKARD: Yeah that...

RIGHTHOUSE: Well, 'cause he's doing the Sex Crime investigation. I'm just asking if you did.

RIDDLE: To me it seem kinda irrelevant to call him when the DA already had it.

PINCKARD: When you look at the hierarchy of - of authority the DA is higher than the Sex Crimes investigator.

RIDDLE: And I - I still have all those e-mails and stuff. So I mean if - if you don't have 'em and they're not on there you guys are more than welcome to 'em. It's not - not a big concern of mine.

RIGHTHOUSE: So when (Moncrief) called you had these discussions with you...

RIDDLE: Mm-hm.

RIGHTHOUSE: This is kind of a long general question but I just...

PINCKARD: Talking about the first discussions where he's...

RIGHTHOUSE: Yeah.

PINCKARD: ...all spun up?

RIGHTHOUSE: Where he - where he's spun up.

RIDDLE: Mm-hm.

RIGHTHOUSE: He's calling you. He talk to you three times, maybe four times, sent you text messages.

RIDDLE: Mm-hm.

RIGHTHOUSE: You did have discussions with him obviously.

RIDDLE: Yeah, they were pretty short, but yeah.

RIGHTHOUSE: He seem - he seem spun up. You use words like freaked out and etcetera, etcetera.

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RIDDLE: Mm-hm.

RIGHTHOUSE: You actually made mention later that you were concerned to the point that you thought (Moncrief) might kill himself.

RIDDLE: Oh, absolutely.

RIGHTHOUSE: When did you formulate that thought?

RIDDLE: When he was - the last time I talked to him when he was getting ready to get off the freeway, I could - I could - I could, you know, hear in his voice all the - the panic. I have- I still have no idea what the allegations were, but obviously I knew there was something more to it um, and uh, when I started getting these messages from his wife um, that, you know, they won't believe what he's accusing me of, and that's what they're saying and knowing how spun up he gets about things that was definitely a concern.

RIGHTHOUSE: To being that spun up did it occur to you to ask him additional questions about why he would be so concerned over a petty phone call?

RIDDLE: At the point where he was going down to talk to (Holden), I'll be honest with you I didn't wanna get involved with it anymore.

RIGHTHOUSE: Alright. And just in general being that spun up...

RIDDLE: Ah,.

RIGHTHOUSE: ...this is just...

RIDDLE: Right.

RIGHTHOUSE: I'm trying to get in your head.

RIDDLE: Right.

RIGHTHOUSE: I know you're saying you wish you would ask more questions. So I guess I'm asking you why didn't you if he was so spun up over just a phone call...

RIDDLE: Right.

RIGHTHOUSE: ...that you're concerned about him and he's freaking out, etcetera, etcetera...

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RIDDLE: Right.

RIGHTHOUSE: ...did it occur to you that - to ask more questions, to delve into it when he's saying...

RIDDLE: Well, fair question...

RIGHTHOUSE: ...he had just got a phone call and in your mind you're thinking well, I give out my number and I get a phone call.

RIDDLE: Right.

RIGHTHOUSE: So what's the deal man?

RIDDLE: Right. To ask him more questions at that point in time, no, because that was normal. That was - that was his normal behavior. Um, had - had I not worked around the guy and he'd just come to my squad and I didn't know him, I - I probably would've been a little more concerned, but having dealt with him for about a year it was completely normal - not - not even - nobody else in my squad that's normal for. Him that was normal.

RIGHTHOUSE: So he's just kind of a...

RIDDLE: He - he - he's wound tight. I don't know how to say it any better.

RIGHTHOUSE: Worked up and...

RIDDLE: I mean, he was - he was a good officer for me. I mean, he worked his butt off, and he was doing some amazing stuff, and I'm writing him accommodations for his amazing work that he's doing, but he was always worried about something - always worried about something, and I didn't give a whole lot of credibility when he was worried about things at work either, you know, and I - I - I didn't - I didn't throw fuel on his fire so to speak. I just kinda, "Dude, chill out, relax." You know this is not that big a deal. You know let's talk about it tomorrow and that's kinda the way I took it when he first called about that other stuff and I didn't - I was almost to the point, I was, "Hey, you know, that - that's good. You know you got - somebody's calling you back throwing you some information - throwing you a bone. That's good. We'll get her hooked up with the right people and, you know, I'll (unintelligible) for, you know - you know, talking to a person and getting, you know, be willing to call back and help us out," and I mean, that's the way I got 'em all before, you know, through officers that were willing to, you know, have 'em call back. Um, you know, obviously the point where he got to the - where it kinda - the light bulb started going on realizing there was

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a lot more to it after he called the Chief, hell no, I didn't wanna talk to him about anything.

PINCKARD: I can tell you though, if you - if you call him tomorrow say, "This is Bret Righthouse down in Internal Affairs, I'd really, really like to talk to you. I really need to talk to you," you'd probably get some sense of where his head was at, but if it wasn't unethical and I'd get disbarred for it, what I would do is after you make that call, I would invite you into my office and I'd put you on loud - put him on loud speaker because the next call he's gonna make is to me, and you would then get a sense for what he's talking about.

RIGHTHOUSE: How wound up he is?

PINCKARD: I mean it's...

RIDDLE: And I don't know how to explain it.

PINCKARD: Uh, yeah, and it's a short journey, too. I mean, he might be able to maintain talking to you...

RIDDLE: Ah...

PINCKARD: ...but not when he would be making that call to me.

RIDDLE: And I find it kinda interesting you asked about his - my concern for his condition because yes, it was. I mean, I - I was definitely concerned when I felt the direction things were going even not knowing what was going on - get in conversations with, you know, with his wife and the texts from his wife, I was very much concerned about how hyper he was that he might try and do something, and from the information I got down the road - 'cause I mean, I call - I call the captain. I think that was - I think it was (Anastasia) said, "Look, I'm worried about - about him," the direct- the uh, the feeling I get where this is going, I said, I'll be honest with you, I'm concerned he might commit suicide. I said, "I just wanna make sure that my information is being passed on to whoever it is that can mention that resources are provided for him to help deal with those thoughts and those kinda things." She goes, "It's a valid concern. We already recognize that," and uh, chaplain and focus or whatever it is, that - that - I can't remember how she said it, but she threw out the, you know, the right words - have been provided and he is, you know, working through things with them. I said, "Okay, good." 'Cause that - to be honest with you, if I hadn't said anything and he ended up hurting himself, god, I'd live with that for the rest of my life.

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PINCKARD: Well, I know - I know I had conversations with uh, I wanna say it was (Anastasia). It may have been uh, I know I had conversations with her and - and (Terrance), and uh, I - I've never talked to Steve until basically he - you contacted him for this interview because at that time I - I - I wanna say that (Charlotte) was - was his sergeant or...

RIDDLE: Right.

PINCKARD: ...Acting Lieutenant or whatever it was, and then (Anastasia) was the captain, and I remember one or both of them telling me that, "Listen, you need to check in with him and you need to make sure that he is not uh, gonna do something stupid." So that - I mean, that - that concern, you know, I don't know if they got that from Steve or they got that from their own observations of his - his conduct. But I know that the command specifically called me to specifically tell me that they were concerned that he was a suicide risk.

RIGHTHOUSE: That's how wound up he was?

PINCKARD: That's how wound up he was.

RIDDLE: Well, and - and then - and then I'm - I'm talking to - to (Leslie) um, about this. She says, "Yeah, it got to the point that where he was on the ground crying." I'm like, "Oh, fucking great." You know? So I'm just, you know, and - and at that point I st- I still didn't know - other than I knew Sex Crimes was dealing - I didn't know if it was a minor thing, fricking major thing. It was another (Arevalos) or if it was just, you know, or I had no idea what it was, but then when I heard that he was to the point that he was just - had lost it, and I'm like, oh, I mean, I - I don't know fricking felt horrible.

RIGHTHOUSE: Let me ask you - I think that I just have one last question.

RIDDLE: Sure.

RIGHTHOUSE: Uh, you talk about (Moncrief) and getting commendations etcetera, etcetera...

RIDDLE: Mm-hm.

RIGHTHOUSE: ...but he's under a lot of stress, so I understand also. So during his interview with Sex Crimes...

RIDDLE: Mm-hm.

RIGHTHOUSE: ...he admits to policy violations.

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RIDDLE: Okay.

RIGHTHOUSE: And what he says when he mention these is, he makes statements a couple of times that he says, "I told Sergeant Riddle that I did, and I did.

RIDDLE: Did what?

RIGHTHOUSE: I un-handcuffed her when we went from Headquarters to (Los Colinas), I did un-handcuff her. She was in the back un-handcuffed. I told him that, and I knew it was a violation," and he makes several statements like that.

RIDDLE: Okay, I...

RIGHTHOUSE: Could he have told you that he un-handcuffed her on the way to (Colinas)?

RIDDLE: I - I don't - I don't remember having the conversation with him. I'm not gonna lie and say that maybe he did and I didn't catch it. I - I - I don't remember him saying anything.

RIGHTHOUSE: You don't recall?

RIDDLE: No. No, I don't.

PINCKARD: Bret, can you tell from the context of - of his statement - because I - I don't know the answer to this. When he went down to Sex Crimes, I wasn't with him, so he - he actually went - went down on his own, but can you tell from that whether he is referring to, I told Sergeant Riddle back at the - on the date of arrest, or whether he was referring to, I told Sergeant Riddle when I just recently talk to him?

RIGHTHOUSE: He was talking about talking to Sergeant Riddle on the phone, and he was basically saying that he confessed. "I told Sergeant Riddle that I un-handcuffed her. I told Sergeant Riddle that I gave her my phone number. I know they're both policy violations," and he even says like, "I swear to God. I could take a lie detector test. I told," like he's trying to say that he's admitting his fault.

PINCKARD: Who wa- who was his sergeant at the time of the arrest? Do we know?

RIGHTHOUSE: Um...

PINCKARD: Do you know if it was...

RIGHTHOUSE: ...I - I think it...

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RIDDLE: No, wh- when - actually, when this all started he called me, he wasn't working for me.

RIGHTHOUSE: No, the - the arrest though, when he made the arrest.

PINCKARD: No, I'm talking about...

RIDDLE: On, you mean - oh, that was before he came to me.

RIGHTHOUSE: Yeah, that was...

PINCKARD: Okay.

RIDDLE: Yeah.

RIGHTHOUSE: ...(Char)...

RIDDLE: No - no - no - no.

RIGHTHOUSE: I can't remember.

RIDDLE: He was uh...

((Crosstalk))

RIDDLE: ...he was another shift. Yeah, 'cause I think I picked him up in...

PINCKARD: Okay. I just wanna make sure that - that...

RIDDLE: Yeah, yeah.

PINCKARD: ...that whatever it is that (Don) was referring to wasn't referring back to the date of arrest.

RIGHTHOUSE: Yeah, he was actually referring to...

RIDDLE: Me?

RIGHTHOUSE: ...calling Sergeant Riddle and basically...

PINCKARD: Okay.

RIGHTHOUSE: ...trying to confess his - why he was freaked out.

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RIDDLE: Okay.

RIGHTHOUSE: He knew - he knew when this girl called is basically what he was explaining that, "I gave her my phone number and I think that's a policy violation, and I un-handcuffed her in the back of the car, and that's a violation, and I'm admitting to that, and you can even ask Sergeant Riddle that I'm admitting to that..."

RIDDLE: Well...

RIGHTHOUSE: ...he told Sergeant Riddle.

RIDDLE: ...I tell you what, had it been that clear I, "Okay, dude, you need to meet me downtown or - or in the office," or whatever it is, and deal with it. Nothing was ever that clear about anything, and like I said, I - I still don't remember him men- mentioning anything about handcuffing, but I don't remember him ever saying anything about copping out to do anything wrong, other than the fact that I think I gave somebody my number. I think it's in violation of policy. I said, "I'm not aware of it," of which one it is or is.

RIGHTHOUSE: When - when he talked to you, (Moncrief).

RIDDLE: Mm-hm.

RIGHTHOUSE: On the phone...

RIDDLE: Mm-hm.

RIGHTHOUSE: You're - you're describing him as freaked out, wound up, spazed out, whatever.

RIDDLE: Right.

RIGHTHOUSE: How was he speaking? Was it clear and slow like we're talking right now?

RIDDLE: No.

RIGHTHOUSE: Or was he wound up and rambling and could he have said things that you're not aware that he said?

RIDDLE: Most of my conversations with him he was kinda wound up and rambling most of the time. In fact, that boy could not send a text that was less than a sentence. I mean, all of his texts are like - I'd say - in fact, I used to, "Dude, just call me if you're gonna

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send a text this long 'cause I don't wanna read it." Um, you know, so he never could say anything short. It was always drawn out.

RIGHTHOUSE: All right, but you don't remember any specific conversation of him mentioning...

RIDDLE: With him confessing his soul?

RIGHTHOUSE: ...anything like that?

RIDDLE: No.

RIGHTHOUSE: I don't think I have anything else. Do you?

RIDDLE: No.

PINCKARD: No, I don't have anything.

RIGHTHOUSE: Anything else you'd like to add?

RIDDLE: No, I think I've gone over it a buncha times. Hopefully this is the last time I have to go over it because just...

RIGHTHOUSE: It's about 2320, and that concludes the interview.

On December 10, 2014, at 2230 hours, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment.

The following is a transcription of Sergeant RIDDLE'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Bret A. Righthouse, ID 4173. It's December 9 – or no, 10, 2014; 2230 hours. I'm in the, uh, Northeastern Division Conference Room with Sergeant Steve Riddle, ID 4311. And can you state your name, please?

RIDDLE: Steve Riddle.

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RIGHTHOUSE: And you have your employee representative, uh, Rick Pinckard. Could you state your name, please?

PINCKARD: Rick Pinckard.

RIGHTHOUSE: Also with me is Internal Affairs Sergeant Dan Sayasane.

SAYASANE: Dan Sayasane 5680.

RIGHTHOUSE: At this time I'm gonna question you about procedures and conduct. My questions during this interview concern administrative matters relating to the official business of the police department. I'm not questioning you for the purpose of a criminal prosecution. In a criminal investigation, you have the right to remain silent and not incriminate yourself. However, since this is an administrative and not a criminal investigation, a failure to answer my questions could be insubordination and leads to, um, discipline up to and including termination. Any statement you make cannot be used against you in any criminal proceeding. Under penal code 832.7, the Grand Jury, Attorney General's Officer, or District Attorney's Office may have the right to obtain a copy of your statement to me during this interview. Your statements to me cannot be used again you by any agency in any criminal proceeding. You are required to answer my questions fully and truthfully. This requirement is set forth in sections 9.4 and 9.29 of the San Diego Police Department Policy Manual; 9.4, Obedience to Lawful Orders Policy: Members shall promptly obey any lawful orders of superiors. This includes orders related from a superior by someone of the same or lesser rank. 9.29: Truthfulness Policy: Members shall be truthful in all matters relating to their duties. Upon the order of a superior or any officers appointed by the Chief of Police to conduct internal investigations and in accordance with constitutional and contractual guarantees including the right to representation, members shall truthfully answer all questions specifically directly and narrowly related to the scope of employment and operations of the department. Refusal to answer my questions, and in itself a violation of department policy, will subject you to disciplinary penalties. Do you understand what I've just explained to you?

RIDDLE: Yes, sir.

RIGHTHOUSE: Is there anything that prevents or may prevent you from answering my questions fully and truthfully?

RIDDLE: No.

RIGHTHOUSE: Do you have any questions concerning what I've just explained to you?

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RIDDLE: No.

RIGHTHOUSE: I now order you to answer the following questions. I'm also ordering you not to disclose anything we discuss during this interview or only thing regarding this investigation with anyone other than your employee representative or legal counsel. Doing so would be insubordination and by itself could subject you to disciplinary action up to and including termination. I'm trying to clarify some statements that you made is the whole reason we have to re-interview you. So I'm gonna try to ask you just a yes or no question. Did you have a discussion with Officer Moncrief about him un-handcuffing his female prisoner?

RIDDLE: Not to my recollection.

SAYASANE: Let me – let me, uh, just for clarification purposes. Are you talking about at any time ever? Are you talking about at the time that he made the arrest. Uh, I mean, what...

RIGHTHOUSE: It would – it would be during the phone call...

SAYASANE: Okay.

RIGHTHOUSE: ...when Moncrief was calling you shortly after he received a phone call from the whatever you wanna call her, the arrestee, possible CI, whatever she was callin' for.

RIDDLE: Mm-hm.

RIGHTHOUSE: So he called you three or four times before he went down to get interviewed by Sergeant (Holt). During those phone conversations, did you have a discussion with Officer Moncrief about him un-handcuffing the female prisoner?

RIDDLE: Not that I can recall.

RIGHTHOUSE: Do you have any recollection of having a discussion with Officer Moncrieff about him un-handcuffing the female prisoner?

RIDDLE: No.

RIGHTHOUSE: None whatsoever?

RIDDLE: I don't know how to answer it any – any different. I don't recall having any conversation with him about handcuffs.

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RIGHTHOUSE: Okay. I'm trying to clear up this – the difference between the two interviews. The interview with me pretty; much all these little red tags, and I – I don't know if you've seen it or not. I supplied a copy to Attorney Pinckard. Pretty much all these little red tags are places where you say that you did not have a conversation with Moncrief, and you don't recall having a conversation with Moncrief. And then at one point when we talked about the district attorney's interview...

RIDDLE: Mm-hm.

RIGHTHOUSE: ...you had made a statement about – um, I was talking about the un-handcuffing, and when I asked you, um, you said you had a vague memory of the un- -- of the un-handcuffing.

RIDDLE: I said that to you or to them?

RIGHTHOUSE: When we talked.

RIDDLE: Okay, but I said that...

RIGHTHOUSE: Not in – I'm sorry. You said that to them.

RIDDLE: Okay.

RIGHTHOUSE: And – and you told that to me when we talked. And when I asked you if when you talked to the DA, I said, "So – so when you say to the DA I vaguely remember her un-handcuffing him or her un-handcuffing – saying he unhandcuffed her at some point," I asked, "Did you truly have a vague memory of him telling you 'I unhandcuffed her at some point'?" And your answer was, "No." But you told the DA you had a vague memory of un-handcuffing.

RIDDLE: Okay.

RIGHTHOUSE: So you're tell- -- you – uh, I guess the root of it is, you're tellin' – you told me multiple, multiple times that you did not have a conversation, and if you did, you remembered no conversation.

RIDDLE: That's true.

RIGHTHOUSE: Okay. And when I asked you just now, you told me the same thing.

RIDDLE: True.

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RIGHTHOUSE: When you were interviewed by the DA, all these little tags I have on the DA's interview are places where you told the DA that you did talk to Moncrief about him unhandcuffing the female and that he said it was wrong.

RIDDLE: I don't know. No – no – no.

RIGHTHOUSE: So what I'm trying to find out is why they don't match up.

RIDDLE: Well, I don't know what to say. And – and I can't really go into any more detail, uh, than I've already gone, because I've already laid it out; and I read through your transcript, this one here.

RIGHTHOUSE: Right.

RIDDLE: And we've covered this over and over again. I understand what they were saying there, and then I think in this transcript here, we – we talked about it, as well, that I'd been hit up so many times about this, okay, I don't recall – I don't have any recollection of having a conversation with him about handcuffs, okay? The fact that I've been hit up five times...

RIGHTHOUSE: Yeah, but...

RIDDLE: Hold on. The fact that I've been hit up five times, eh, I'm not denying it's – it's possible. I don't – I don't remember havin' any kind of conversation with him about that. So when I'm hit up over and over again, I'm try- -- I'm beatin' myself up tryin' to figure out what the hell – if there was any kind of conversation along like – along that line, I don't remember what it is. So I'm assuming there probably was something, or we wouldn't be sittin' here goin' over and talkin' about this. But it still doesn't change my view of whether I remember or not. I don't remember havin' that conversation with him.

RIGHTHOUSE: Okay. And that's my question, is you don't remember havin' a conversation with Moncrief about the handcuffs?

RIDDLE: I don't remember him mentioning anything about handcuffs.

RIGHTHOUSE: Okay. But when you talked to the DA, you made multiple statements. I'll – I'm gonna – I wanna – I tried to read 'em last time, so I wanna read a couple of 'em. Because when you talked to the DA, I don't want you to get hung up on that word "vague," 'cause a vague memory when, when you – you told me that you – you told the DA you had a vague memory, but you told me when you told the DA you had a vague memory, you really didn't. So that's confusing to me. But you made statements to the DA like

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when you're talking about the handcuff thing, you made statements, you said, "I do remember him saying something about the un-handcuffing. I just don't remember the details as far as what it was. I don't remember how it happened or where it happened." So you're talking about details. And at one point...

RIDDLE: I understand that, but I'm tellin' you right now, you keep readin' those all you want. I don't remember him goin' over anything about handcuffing. I've been hit up several times about this over and over again, so I'm assuming that obviously there was some kind of conversation that I had with him. I don't remember what it was. So I – I can't really go into any more details other than that. I understand what they're saying in there, but...

RIGHTHOUSE: okay, but here you make another statement that just says, "I vaguely remember, and I just don't remember the content about, you know, him un-handcuffing her at some point and..."

RIDDLE: Read that back.

RIGHTHOUSE: "...that he knew..."

RIDDLE: Read that – read that again, Bret.

RIGHTHOUSE: "...he shouldn't have."

RIDDLE: Read that again.

RIGHTHOUSE: "Yes, he mentioned some..."


RIDDLE: Don't – back up and read it again.

RIGHTHOUSE: Okay. You vaguely remember and just don't remember the content about it, him un-handcuffing her at some point, that he knew he shouldn't have. And here you said, "Yes, he mentioned something about it. I just don't remember how – how – how it came out. Um, and what I was talking to (Leslie) and (Mike)..."

RIDDLE: Okay, well, when...

RIGHTHOUSE: And there's a bunch...

RIDDLE: Okay, I – I don't know what to tell you. I'm – I'm – I'm not gonna sit here and go over this over and over again when I've already told you exactly what's goin' on. It's not gonna change anymore. How that came out that we were goin' on talkin' about this

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stuff, I don't have any recollection of talkin' with him about that. Obviously at some point we did, or this wouldn't be happening. We wouldn't be goin' over this again. When (Leslie) hit me up, she gave me all kinds of different scenarios about well, is it possible this happened, is it possible this happened? Yeah, it's possible a lot of stuff happened. But what I remember is what I remember. What I don't remember, I can't tell you anything. Okay? So...

RIGHTHOUSE: But this – this is the point I'm – I'm tryin' to make is that I know people threw stuff out at you, but when – when you talked to (Holden) and me, you said you don't have any recollection of handcuffing.

RIDDLE: I don't remember talkin' to him about handcuffs in any manner. That's what I'm tryin' to tell you.

RIGHTHOUSE: Okay. And that I understand. So not remembering that you talked to Moncrief about handcuffs in any manner is okay. But now I need you to explain to me why when you talked to the DA did you make statements like, "On the handcuffing, I just vaguely remember him throwing that out there during one of the phone conversations." You're telling the DA you did talk about handcuffs. "I vaguely remember him saying something about – on handcuffing, and but I didn't remember the extent of how it happened." So over and over again you tell the DA that you do remember having a conversation with Moncrief about (unintelligible).

RIDDLE: Well, I'll tell you what. By – by the time I got to that point and I'd been interviewed so many times, I'm assuming...

RIGHTHOUSE: But you were only interviewed twice.

RIDDLE: No.

RIGHTHOUSE: You were interviewed by (Holden).

RIDDLE: Uh-huh.

RIGHTHOUSE: And you talked to (Leslie).

RIDDLE: I see, and this is three. This is three.

RIGHTHOUSE: Right.

RIDDLE: Being here with you is four. This is five.

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RIGHTHOUSE: But if you – if you didn't remember handcuffing when you talked to (Holden) and you didn't remember when you talked to (Leslie)...

RIDDLE: Where's your report from (Leslie)?

RIGHTHOUSE: ...and you – and you did remember...

RIDDLE: Where's your report from (Leslie)?

PINCKARD: Who's – who's (Leslie)?

RIDDLE: Al-, um, (Albrecht).

RIGHTHOUSE: Is it (Albrecht), I think?

PINCKARD: Department of personnel.

RIGHTHOUSE: Yeah.

PINCKARD: Not the DA's office.

RIGHTHOUSE: No, no – no.

RIDDLE: So when I went through it with her, she kept – she says, "Well, is it possible he said su-- you know, this and this is what you thought?" I said, "Well, that's possible. I – I – I just – I don't remember what he said if he said anything."

RIGHTHOUSE: Right, and I'm not putting...

RIDDLE: And so I – well...

RIGHTHOUSE: I'm not gonna put any weight on somebody saying, "Is this possible?" Because I understand you can always say something is possible.

RIDDLE: But – but – but here – here – here's the – here's the deal. I – I'm being accused of havin' a conversation with him that I don't remember, okay? My memory's not the greatest about stuff all the time. I – I – I apologize. I can't change that, okay? But when I'm talkin' with (Leslie) and she's sayin' well, this – this happened and this happened and – and this was said or maybe he said this. Is this what happened? So I'm tryin', you know, okay. What the hell happened? How did the conversation come up, 'cause obviously it did. So she's sayin' well...

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RIGHTHOUSE: Well, it may and it may not have.

RIDDLE: Well...

RIGHTHOUSE: We don't that it came out.

RIDDLE: Well, I d- - I...

RIGHTHOUSE: We're asking you if it came out.

RIDDLE: Okay, well, I – I – I don't know what to tell you.

RIGHTHOUSE: And – and...

RIDDLE: I'm assumin' at this point when I'm talkin' to the DA's office, there was some kind of conversation that went on. I don't remember the details of and him saying anything about handcuffs. So however that came out, it – it was not interpreted correctly or how – or I don't – I don't know what else to tell you other than what I told you already.

RIGHTHOUSE: I think that's the root of it, is I just need an explanation as to why when you talked to (Holden) you said you did not have a conversation about handcuffs.

RIDDLE: When I talked to Hol-...

RIGHTHOUSE: Or you don't...

RIDDLE: When I talked to (Holden)...

RIGHTHOUSE: Or you don't recall any, and that's okay. When you talked to me, you said the exact same thing.

RIDDLE: Okay.

RIGHTHOUSE: You did – you either did not have a conversation or if you did, you have no recollection of it; and that's okay.

RIDDLE: Okay, well let's get the big picture here, Bret, okay?

RIGHTHOUSE: Well, wait – wait – wait.

RIDDLE: Well, no – no.

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RIGHTHOUSE: The big picture is I have three interviews. Two of them say, "No." One of them says, "Yes." And I just need to know what happened when you talked to the DA.

RIDDLE: Okay. Taken out of context, uh, I don't know how else to tell you. But let me give you a bigger picture to look at than what...

RIGHTHOUSE: So are you sayin' what the DA said...

RIDDLE: Let me give you a bigger picture.

RIGHTHOUSE: Wait – wait. Well, if you say taken out of...

RIDDLE: Now I can't answer the question...

RIGHTHOUSE: Well if you say taken out of context, are you saying that what the DA wrote is not what you said?

RIDDLE: I – I assume it was recorded, and they – they transcribed it.

RIGHTHOUSE: Correct.

RIDDLE: Okay.

RIGHTHOUSE: And on all these little tags...

RIDDLE: No, I'm not – I'm not sayin' that that's incorrect.

RIGHTHOUSE: ...is – is places where you say, "Yes, I talked to Moncrief about un-handcuffing. I just didn't dive into it." You say stuff like you talked to him...


RIDDLE: I – okay, again.

RIGHTHOUSE: ...but you didn't ask him a lot of questions.

RIDDLE: I don't remember talking to him about handcuffing. I don't remember talking to him about handcuffing.

RIGHTHOUSE: Okay. So that's...

RIDDLE: I don't remember talking to him about handcuffing.

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RIGHTHOUSE: So – so – so let's go here. I don't care if you talk to him about that or not. Where – where I'm getting at is if you did not talk to Moncrief about handcuffing, why did you tell the DA you did?

RIDDLE: C- can I answer the question now?

RIGHTHOUSE: Yes.

RIDDLE: Okay. You're gonna stop and let me answer it? Okay. Now let's put this in perspective. Let's look at the big picture, okay? I'm talkin' to him when this stuff was goin' on with (Holden). I have no idea what's goin' on, okay, at this point. Until he hits somethin' – hits me up with that, I don't – I don't remember talkin' with him about anything. But him – him askin' me, obviously something happened. I get hit up with (Leslie) again. We go through the same stuff. She asks me the same questions. Obviously it's comin' up again. Somethin' happened. I don't remember. I'm tryin' to go through and remember what's goin' on. My perspective to this whole thing is totally different than what your's is. You know what he's accused of. I – I didn't know what he was accused of at the time. I wasn't payin' attention to what he was sayin'. Obviously somethin' must've been said that I didn't catch. But I wasn't in the same concept that you're in by thinking and – and knowing that something was done that was wrong. As far as I'm concerned, he's a good employee, and he hasn't done anything wrong; and I have every bit of trust in him as I do every other employee that I have until I realize there's no reason to trust him. At this point, when he's callin' me about this stuff, what he's tellin' me is not a big deal. I'm not tryin' to read through the stuff and tryin' to find somethin' to hang him before, 'cause I don't think he's done anything wrong. At the point I think he's done something wrong is the point that all of this stuff starts comin' up. Okay? So I missed somethin', obviously. I missed somethin', because I'm gettin' hit up over and over again about this same stuff, okay? So obviously somethin' happened. So I'm beatin' myself, tryin' to figure out what the hell happened. So obviously some conversation happened. I don't remember what it was. I don't remember the context. I don't remember how it happened. I'm not lyin' it didn't happen. I just don't remember it. And I don't know how to explain that to you any other way.

RIGHTHOUSE: Okay. But that's what I'm sayin'. I'm not arguing that it didn't happen. nobody knows if it did.

RIDDLE: Okay.

RIGHTHOUSE: Wait – wait – wait. Stop.

RIDDLE: At, uh, this – at this point when I am talkin' to the DA...

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RIGHTHOUSE: Stop – stop. Just a second. Let me finish now...

RIDDLE: At this point when I'm talkin' to the DA about this...

RIGHTHOUSE: Just – just let me finish.

PINCKARD: Let – let Bret finish. He's – he's trying to explain what it is that he's looking at.

RIGHTHOUSE: The only person that would know if you and Moncrief had a conversation is you and Moncrief, understand.

RIDDLE: Okay.

RIGHTHOUSE: So when you tell me here that it did not happen...

PINCKARD: Or that he – he doesn't remember.

RIGHTHOUSE: ...or – or that you don't remember.

RIDDLE: Right.

RIGHTHOUSE: So if you don't remember, it's almost the same as not happening. We have no facts; right? So you're saying it didn't...

RIDDLE: Well...

RIGHTHOUSE: Well, I'm saying it – to tell me – if I said what did Moncrief tell you, and you don't remember, you would tell me nothing.

PINCKARD: No. Here's the difference between if it didn't happen and I don't remember.

RIGHTHOUSE: But, uh, well, but here's the statement I wanna read.

RIDDLE: Go ahead.

PINCKARD: Go ahead.

RIGHTHOUSE: 'Cause this is where it gets confusing is when you say stuff like this. You tell me it either didn't happen or you don't remember. You said the same thing to (Holden) roughly. You tell the DA, "I do remember him saying something about the un-handcuffing." "I do remember." So what do you remember?

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RIDDLE: I don't remember anything.

RIGHTHOUSE: Well why did – so that's my question.

PINCKARD: Okay.

RIDDLE: Fine.

((Crosstalk))

RIGHTHOUSE: I'm not trying to make you mad.

PINCKARD: No – no. Here's my...

RIGHTHOUSE: My question is...

RIDDLE: I'm frustrated because this is goin' over and over again the same stuff, Bret.

RIGHTHOUSE: I understand you're frustrated, but what I need to know is why did you tell the DA, "I do remember?"

PINCKARD: Where - what, uh, essentially it's – it's – and there is a difference between it didn't happen and I don't remember.

RIGHTHOUSE: There is – there is.

PINCKARD: Because if I say I don't remember, that's in the context of when I first heard it. But then as that context is fleshed out with other conversations that I'm having and other questions that are being asked of me and other information that's being given to me, it kinda changes the context to the point where now I'm speculating that oh, shit. I must've had a conversation. I just don't remember it.

RIDDLE: And that's where I'm getting at. I mean...

PINCKARD: And that's the statement...

RIDDLE: ...at this – at this point, I – there's no doubt in my mind the conversation happened, okay? So I don't – I – here's the deal. I don't wanna lie and deny that it happened, because I don't know that it happened. And I can't sit – flat – flat sit here and say to you, I know for a fact I didn't have that conversation, because that might be a lie. I don't know. And I'm – listen. And I'm not gonna lie to you about it, okay? So by the time I get to this point, there's no doubt in my mind somethin' has happened. I don't

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know what it is. So is it possible I had that conversation? Yes, it is. Do you remember the details? Absolutely not. And I don't know how to clarify that anymore.

RIGHTHOUSE: But that – that's okay. And that's not what I'm questioning. What I'm questioning is when the DA talked to you, if you don't have a recollection, why would you tell him you do? He says again here...

RIDDLE: The same thing over and over.

PINCKARD: No – no. Here's – here's...

RIGHTHOUSE: You're – it says, "You remember Moncrief saying something about the un-handcuffing" "About -- something about the un-handcuffing her, but I don't remember the extent." So you do remember something is what you're telling the DA.

PINCKARD: Here's – here's what Sergeant Righthouse is – is – is stuck on. What he's stuck on – he understands the concept that look, if you didn't – if you don't remember, either you didn't have a conversation or you did but you don't remember it.

RIDDLE: Mm-hm.

PINCKARD: He – he's accepting that at face value.

RIDDLE: Got you.

PINCKARD: So when you have that initial conversation with (Holden) and (Holden) asks you and you – you're, no I don't – you – you – I don't recall or it didn't happen. When he interviews you, when Bret interviews you, the same thing. I – I – I don't recall or it didn't happen.

RIDDLE: Mm-hm.

PINCKARD: But in between there, there is a, um, a statement where the words that you have used or chosen to express your speculation create the appearance that...

RIDDLE: I...

PINCKARD: ...you are saying that I – I – I have a vague recollection.

RIDDLE: I do get it. I get it. I totally get it.

PINCKARD: So the question that – that Sergeant Righthouse is asking is look. I see these words on a page, and I accept that you – I accept that you may not have a recollection of that

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conversation. I – I accept that. That – so at the time that – that (Holden) is – is asking you, I accept it when you say, "I don't remember." And he's saying that when I interview you, I accept your statement that you don't remember. But in between those two bookends...

RIDDLE: Right.

PINCKARD: ...we have statements...

RIGHTHOUSE: All these red tags.

PINCKARD: ...that have your own words.

RIDDLE: Mm-hm.

PINCKARD: So the question is; are these statements, all those red tags on the DA transcript, the conversation with the DA, those words that you chose, were you speculating?

RIDDLE: Uh, absolutely. And I – I can do nothing but speculate that something happened or I wouldn't be sittin' here goin' over this.

PINCKARD: So it is the...

RIDDLE: So I – I'm – I'm doin' the best I can to – to try not to appear that I'm being untruthful about anything, because I'm not. I have nothing to hide about this, and I understand the way that that looks by those words. But my expectation at this point in time when I'm talkin' with him is something happened. And I'm not denying that. But I don't remember anything happening as far as that conversation?

RIGHTHOUSE: And – and that's my – my question.

RIDDLE: So obviously that's not in context with what – what I was actually thinking. And I don't know how to explain that.

PINCKARD: Okay. So you're walkin' a line where you don't wanna deny, because you know that by the emphasis that's put on this topic, you know that something happened.

RIDDLE: Well obviously.

PINCKARD: So you don't want to create the impression that you're lying to the DA or you're withholding information, but the words that you are choosing...

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RIDDLE: Well, they – they were chosen wrong.

PINCKARD: ...are – there are – they're artfully chosen words. Your words, they're chosen wrong.

RIDDLE: Correct. You know, I – I been here 28 years. I'm not gonna throw my career and my life out for somethin' this small and – and crazy, okay? I like Don (Officer MONCRIEF).

RIGHTHOUSE: Uh...

RIDDLE: But if he did something wrong – hold on a second.

RIGHTHOUSE: I am.

RIDDLE: But if he did somethin' wrong, then – then I've got no problem with him dealin' with what he's got. And I would never try and – and lead him down a road to be untruthful about anything. There – that's just insane. That's like – that's me throwin' 28 years of my life away for what (unintelligible).

RIGHTHOUSE: For him to be untruthful?

PINCKARD: No, no.

RIGHTHOUSE: For - for me to figure out.

RIDDLE: To try to describe it – well, 'cause that's what I was accused of before.

RIGHTHOUSE: Right. But I – that's...

RIDDLE: And I understand...

RIGHTHOUSE: That's under the bridge.

RIDDLE: Okay, well, it's not. It's the whole – it's the whole thing that I'm dealing with here. For you it's under the bridge, but I'm dealing with this whole speculation of this cloud over my head right now. I can't go anywhere. I can't move anywhere. I can't do anything, because all this is goin' on. It's been draggin' out forever. Okay? And I can sit down and have this conversation with you five more times, which would be absolutely insane, and it's not gonna change; okay? The words I chose are – obviously were wrong. I'm assuming something happened or I wouldn't be sitting here with you. Okay? I don't recall any specifics about the details about handcuffing or anything else along those lines of what you've been asking. And I don't know how to clarify that

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anymore. I understand the discrepancy and what you're concerned about. And I get that. But my mindset at this point in time when he's talking to me is I – there – something was said. I don't want to deny it. I don't want to lie about it, okay? But I – I don't know.

RIGHTHOUSE: I – I understand not wanting to lie about it. I truly do. The confusion to me comes in like even when I ask you – I asked you in our interview, did you truly have a vague memory when you told him (The DA) you did, and you said no.

RIDDLE: No.

RIGHTHOUSE: So, to me, the question is more if you said it one time in here somewhere, I guess I would understand it better. But this many times, my question is, if you truly have no memory of it, that's okay. It doesn't matter.

RIDDLE: But it's not okay. Because I'm still sittin' here goin' over this over and over again.

RIGHTHOUSE: Well, it's not oh – it's not okay, because if you truly had no memory of it, I would think that you would tell the DA...

RIDDLE: I have no memory of it.

RIGHTHOUSE: Listen, I know you want me to say somethin'. I know you think I know somethin', but I don't. I have no memory of it. I have no clue what you're talkin' about.

RIDDLE: Okay.

RIGHTHOUSE: But instead...

RIDDLE: But by this time when I get to this, I'm – I'm already assuming that somethin' – obviously some conversation happened.

RIGHTHOUSE: Okay, but with that same – with that same twist, when I interviewed you, why didn't you tell me the same thing. Why didn't you say, well obviously I assume somethin' happened, so I do know stuff. But you told me you know nothin'.

RIDDLE: No. No – no – no – no. 'Cause there were a point when we went through this and we talked about it.

PINCKARD: Well we – yeah, we did – actually did explain in – in the – in the first interview what – he tried to explain in the first interview what the – what the reason for the discrepancy was between what you see in the DA's, uh, interview and what he told (Holden) versus what he is telling you and...

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RIGHTHOUSE: Well, and I recall that.

RIDDLE: Well, and I do, too, because I explained it and you clarified it.

RIGHTHOUSE: And that's why – and that's why – that's unfortunately why I'm back...

PINCKARD: No, I – I understand that.

RIGHTHOUSE: ...because we're trying to clarify the stark difference. I mean, it is a stark difference.

RIDDLE: I mean, I – I.

PINCKARD: What – what you have, Bret, is that you have a situation where a question is being asked, and rather than a factual response being given, a response is being given. It – it's be -- a response based on cognitive knowledge. I mean, at that point he knows that they – they think that there's a conversation. I mean, that's – that's obviously some – some conversation. Somewhere along the line somebody has drawn the conclusion that they had a conversation about handcuffing. So, well, okay, I must've had a conversation. So, you know, if that's what you're telling me and it's basically – he's not responding. He's reacting.

RIGHTHOUSE: That – that I understand. But I guess that's what I need you to better explain to me.

RIDDLE: I can't explain it better than I've just gone through this. It's not – it's not gonna get any better, right?

RIGHTHOUSE: If you – well, if you answered pretty much like Attorney Pinckard just said and had you said something to the point of I don't recall, but obviously you think something happened, so something must've happened so...

RIDDLE: I'm...

RIGHTHOUSE: ...maybe I talked to him, but I don't recall. That would be one thing. But what you – what you say in here over and over again to the DA is that you do recall. "Yes, I talked to him a little bit, but I didn't follow up. I didn't ask follow-up questions." "Yes, he told me he un-handcuffed her, but I didn't really delve into it. I knew I should've." You say stuff like that. I mean, I could read 'em all, but I don't know if want me too.

RIDDLE: Oh, I don't – I don't need you to read 'em all. I don't doubt you. I totally understand. I'm just telling you...

RIGHTHOUSE: So my confusion is...

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RIDDLE: ...at that point in time – at that point in time my mindset is obviously something happened. Eh, I don't remember what it is, so obviously it's gonna be vague. I have no frickin' clue what – what it is that was talked about. And I don't want to deny there was a conversation. If you have some – some recording of the conversations or somethin', fine. Play the stupid thing so that we can hear what the hell it is. I don't remember, and I don't know; and if you were to play something right now, a conversation that I had with him and it said it in there, I won't deny it. But I just don't remember anything happening along that line. So when I'm goin' through this with them, obviously I'm believin' that somethin' happened, which is why I'm gettin' hit up and dealin' with this again.

RIGHTHOUSE: Okay. That I understand. But when you say you don't remember and in multiple, multiple places, there's things like this where you say, "On the handcuffing, I just vaguely remember him throwing that out there during one of the phone conversations." That's a direct statement. You're saying I remember him talking to me about un-handcuffing on the phone. Why would you say that?

RIDDLE: I don't know what to tell you.

PINCKARD: Because the question frames the fact – the questions that – that – that are being asked of him, are more statements, and they're tellin' him, "Look, you had a conversation with the guy." You know, if you tell me enough times that I had a conversation about this topic with him, I'm gonna believe you and say okay, yeah, well, you know, I had a conversation with him and I – I, you know, I must've done that. I must've had a conversation with him about that. And when – when the question frames the facts, then your answer is gonna track the question. And – and it's – you know, it's a poor choice of words. You're right. You're absolutely right.

RIDDLE: I understand why you're askin'. I totally understand. But I can't...

PINCKARD: The better thing to have done would have been to say...

RIDDLE: I don't recall.

PINCKARD: ...I don't recall. But he's gettin'...

RIDDLE: Well, I – I get it – I get it.

PINCKARD: ...he's gettin' pounded over and over and over...

RIDDLE: I totally understand.

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PINCKARD: ...on those, you know, those questions on that specific narrow topic. It becomes, uh, a point where you're basically telling me I had that conversation. So, okay. I must've had that conversation.

RIGHTHOUSE: And I guess that's what – where the confusion comes in. Is if you...

RIDDLE: That's – yeah. I understand.

RIGHTHOUSE: ...if – if you look at the way these three interviews went, it was no, yes, no.

((Crosstalk))

PINCKARD: No, vague, no.

((Crosstalk))

RIGHTHOUSE: What you actually say you do.

RIDDLE: What about (Leslie)'s conversation? You're not taking that into consideration, either, are you?

PINCKARD: Yeah, 'cause that's another round where he...

RIGHTHOUSE: That she talks to you about it, yes.

PINCKARD: But he's being told what...

RIDDLE: But I'm – I'm – I'm tellin' you at that – that conversation...

RIGHTHOUSE: That she's sayin'...

RIDDLE: ...she's sayin' stuff like, "Isn't it possible that he talked to you about what ever?"

RIGHTHOUSE: Well, that I understand.

RIDDLE: But here's the deal. I've been – I was a detective for a long time, too.

RIGHTHOUSE: If it's not possible, I would just say no.

RIDDLE: Okay? No, listen. I was a detective for a long time, too. I understand the whole point of that and by throwin' those things out, you know, I usually know more about what's goin' on than I let on the person to know that I know; okay? So I mean, I – I can read

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between the lines and understand what she's sayin'. Well, is it possible this happened? Well, yeah, it's entirely possible. You've been in court. You've been hit up with that stuff, too; right? So what're you gonna say, no it's not? I – I can't say that, because I don't know.

RIGHTHOUSE: Well, I understand that.

RIDDLE: But here – but so you're...

RIGHTHOUSE: And that's what I said. I'm not – I'm not gonna take that into consideration as far...

RIDDLE: Okay, well you should...

RIGHTHOUSE: No – no – no.

RIDDLE: ...you should take what she wrote into consideration.

RIGHTHOUSE: Wait – wait – wait. As far as a damaging thing...

PINCKARD: Yeah.

RIGHTHOUSE: ...because anyone could say is that possible? That's not a valid question. If somebody asked me is it possible, I can say yes, it's possible. Did you do it? I'm gonna just say no, I didn't.

RIDDLE: Okay, well, I don't know how to answer this any more than it was a poor choice of words, and that's not taken out of context. And my mindset at that time was obviously I said somethin' or there was some kind of conver- -- I'm sorry. There was some kind of conversation, so my statement with that – is with that in the back of my mind, 'cause obviously I wouldn't be there if it didn't happen.

RIGHTHOUSE: So when you say in here that you do remember him talkin' to you about it on the telephone, is that true?

RIDDLE: No, I don't remember any of that.

((Crosstalk))

PINCKARD: ...true or not true.

RIDDLE: ...or I wouldn't be here.

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RIGHTHOUSE: Well either correct.

PINCKARD: It's not accurate.

RIDDLE: It's not accurate. I don't remember him sayin' anything. Did I have that conversation on the phone? Probably, because obviously I wouldn't be sittin' here if I didn't.

RIGHTHOUSE: But I – I just wanna make sure we're – we're on the same page here.

RIDDLE: I don't know if we're ever gonna get on the same page, Bret. I don't know what else to tell you.

RIGHTHOUSE: I'm not – well – well, because you say probably. I am not accusing you of talking to Moncrief. If you say you did not, I mean, about handcuffing – if you tell – if you're telling me you did not talk to Moncrief about handcuffing...

RIDDLE: But I can't tell you that, because I don't remember havin' that conversation. Is it possible?

RIGHTHOUSE: Okay.

RIDDLE: Did he go in and make a statement that I had that conversation? Is he lyin'? I can't say he's not. I don't remember havin' the conversation.

RIGHTHOUSE: I will – I will – I will take that...

RIDDLE: You prefer black and white, Bret.

RIGHTHOUSE: No.

RIDDLE: Do you want – is it – is it did you say it or did you not say it? Did you have that conversation? Did you not have that conversation? I can't answer that yes or no. I don't remember havin' that conversation. I'm not gonna lie and say there's absolutely no way it happened.

RIGHTHOUSE: And – and that – and that's...

PINCKARD: And that's – that's – that's a given. And, uh...

RIGHTHOUSE: That's what I'm saying.

PINCKARD: He's okay with that.

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RIGHTHOUSE: If you don't recall it, I'm good with that.

PINCKARD: But what he's – what he's asking specifically is, if you don't recall it...

RIGHTHOUSE: Why did you say you did?

PINCKARD: Then when you're talking to the DA, why not just tell 'em, I – I – I don't...

RIDDLE: I don't know. And that obviously would have been a better choice, but at this point in time again, I'm assuming that something happened, and I'm tryin' to remember what the hell it was. I'm beatin' myself up for the last year that this crap has been goin' on, because I had no idea what was happening.

PINCKARD: Can I ask a question, because I don't know what the context of – when – when – when you're being interviewed by the DA, why are you being interviewed?

RIDDLE: I don't know.

PINCKARD: I mean, what – was it to try to make a case against Moncrief? Was that the purpose? Do you know what – whether that was the purpose of the interview?

RIGHTHOUSE: I believe, yeah, I believe the purpose of the interview is Moncrief had mentioned in his interview that he had talked to Sergeant Riddle about un-handcuffing this female, and they wanted to know what he said, because that's evidence against Moncrief.

PINCKARD: Moncrief, okay.

RIGHTHOUSE: And then when Moncrief – oh, I'm sorry. When you talked to the DA, you tell the DA that he did talk to you.

PINCKARD: You have a vague recollection. Okay.

RIGHTHOUSE: That you do remember stuff.

PINCKARD: Wh- when you're being interviewed by the DA's office...

RIGHTHOUSE: So you're actually damaging Moncrief by saying you are remembering things if you don't.

PINCKARD: Give – given the context of everything that was goin' on, you know, the – the timeline of events, the timing of this interview when – when you put that into, uh, you know, the timing of this interview when you put it on the timeline of that entire, eh,

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investigation and all of the – the – the publicity and all that crap that was goin' on, uh, did – did you feel, uh, some sense of – of – of duty or some sense – pressure even if it wasn't intentional? Did you feel some – some compulsion to try to be helpful to the DA in their interview?

RIDDLE: Mm, here – here's my goal. My goal is to try and be helpful to (Holden), to you even right now while you're goin' after me. My goal is to be helpful and to be honest and straight forward with you, 'cause I have nothing to hide. Okay? So I – it's – it's a – it – I don't know how to explain that anymore. I mean, the way he said is – is accurate. The fact that I can't put the words out on the page the same way he does is probably why he gets paid a hell of a lot more than I do. Okay? But, ch, we keep goin' around the same thing over and over again. I understand the discrepancy. It's obviously taken out of content. My mindset at this point in time was the conversation happened. I'm tryin' to remember what it was, tryin' to figure out exactly how it could have possibly come out and how that might be beneficial to them, to you, to whoever. I'm not trying to hide anything for Don. If he did something wrong, frickin' deal with it, okay? But I know I didn't do anything intentionally wrong. And that's what's really bothering me. Okay?

RIGHTHOUSE: And I guess that's what bothers me, to be honest, when I try to sort this out. It's like you're saying. You were a detective. You've been on for 28 years. Just because somebody assumes you did something, put yourself in the bad guy's spot, like when you're interviewing somebody. The worst thing you could possibly do is say, I assume you want me to say this, so I'm gonna say it. And then you're gonna end up being convicted of something you didn't do.

RIDDLE: And well, you know what, obviously I was overthinking the whole thing...

RIGHTHOUSE: And that's what I'm asking.

RIDDLE: ...is the biggest problem, okay?

RIGHTHOUSE: If asking you a direct question, did you talk to Moncrief on the telephone about this...

RIDDLE: Well...

RIGHTHOUSE: ...and you answer that you did...

RIDDLE: Well, obviously I was over- thinkin' the whole thing, is probably because I'm – I'm – I don't – I don't – I'm spinnin' here. I really don't know what else to tell ya.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

PINCKARD: Well, I guess, you know, probably a – a more appropriate – well, not a more appropriate, but an appropriate follow-up question is, uh, at any point during your interview with the DA's office, did you, uh, were you intentionally dishonest with them for the purposes of misleading them?

RIDDLE: No. I tr- -- I don't want to mislead you. I don't want to mislead them. I'm not trying to mislead anybody. Obviously my choice of words were not the best in the situation that was goin' on; and I understand why you're askin', totally get it. I'm not mad at you for askin'. I'm not mad at you for investigating this. I'm gettin' a little pissed off, because we keep goin' over the same thing over and over again; and I don't know what to say to try to answer your questions any better than I'm able to articulate it right now. I apologize. I can't articulate this any better than I'm doin' right now.

RIGHTHOUSE: All right. So when you told the DA that you did have information and you did talk to him on the phone, etc., etc., I guess you're just gonna have to sum it up for me. Why did you do that? How – how would that happen?

RIDDLE: Because at this point I'm assuming there was a conversation that happened.

RIGHTHOUSE: Right, and you're – you're...

RIDDLE: And – and I don't – I'm tryin' to tell you.

RIGHTHOUSE: But you – you're a 28-year cop just like you told me. You were a detective just like you told me. Just because you assume something happened, you wouldn't admit to it.

RIDDLE: Okay. I'm trying to be as straight forward and forthcoming as I can with everybody-everybody about this. At this point I am assuming that something else happened, and I missed it.

RIGHTHOUSE: Right, but straight forward you would say I assume something else happened, but since I missed it, I don't know anything about it. You wouldn't say, yeah, I recall it or yeah, I remember it.

((Crosstalk))

PINCKARD: Well, but he's trying to be helpful. I mean, he's trying to be helpful. He's tryin' to – you know, he's – he's...

RIGHTHOUSE: And I know it frustrates you, and I'm sorry for that.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
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PINCKARD: Yeah, it's a combination of tryin' to be helpful and speculating and what comes out is an inaccurate statement. Now there's a vast difference between a dishonest statement and an inaccurate statement. You know, people say things all the time, because they want to try to be helpful or they wanna move the, uh, the interview along or whatever the case may be. Uh, but it's not dishonest. It's inaccurate. It's wrong. You know, it's factually wrong. Um, uh, I – I don't know that he can explain it any better than he already has. You know, he believed by this point that a conversation must have occurred. He had a conversa- -- he knows he had a conversation with this guy. I mean, 'cause he's blowin' his phone up. He's talkin' to him. He's textin' him. So he knows he had a conversation with him. And now he believes based on everything else being put into context that he must've had a conversation with him about handcuffing. And he tells him in an effort to be helpful, yeah, um, yeah, I have a vague recollection, but I can't tell you what the details are. Well, if he can't tell 'em what the details are...

RIDDLE: 'Cause I don't frickin' remember.

PINCKARD: ...is because he doesn't remember the conversation.

RIGHTHOUSE: All right. And I – and I understand that.

PINCKARD: The words were poorly chosen. There's no question about it. The words were poorly chosen.

RIGHTHOUSE: Maybe – very poorly chosen.

PINCKARD: And maybe that's what...

RIDDLE: No, I – I totally agree.

PINCKARD: ...that's what you need.

RIDDLE: I agree with you and – and I – but I have said that.

PINCKARD: I can't put the words in your mouth.

RIDDLE: Obviously that's not the right content that I meant it to come out, and they were poorly chosen words, and it – it's not accurate to what we've interviewed and talked about.

RIGHTHOUSE: You make – you make a statement like you, you say, "I vaguely..." – talkin' about Moncrief – "I vaguely remember him saying something about un-handcuffing her at some point and that he knew he shouldn't have done that. I don't even remember what I said to him, to be honest with you about it."

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PINCKARD: Okay, well...

RIGHTHOUSE: So you're actually sayin' that you do remember him sayin' somethin' about un-handcuffing, and he even told you that he shouldn't have. Why would you say that to the DA?

RIDDLE: Well – well, because I'd been hit up with that over and over again.

RIGHTHOUSE: No – no – no, but...

RIDDLE: Okay. No – no. You asked me a question. Let me answer it. Okay? I'd been hit up with that over and over again. And – and I'd been asked that same question. "Did he talk to you about un-handcuffing?" "Did he talk to you about what he – what he did or why he did it?" "Did he know it was wrong?" "What did he do?" I – I've been tau- -- I've been asked and gone over that stuff with (Holden), with (Leslie), with you, with the DA. I mean, I'm assumin' it happened. I don't want to deny it, because I don't know.

RIGHTHOUSE: But if you assume it happened and you don't know it for a fact...

RIDDLE: Okay, poor choice of words. I fucked up...

PINCKARD: Yeah, but if I deny it.

RIDDLE: ...and didn't say it right. I don't know what else to tell you.

PINCKARD: If I deny it and then there's contrary evidence to that, then I'm liar, because I absolutely denied something. So (unintelligible) .

RIDDLE: And that's exactly correct.

RIGHTHOUSE: Well, if you say – if you say I don't remember...

PINCKARD: Yeah, that would've been a better thing.

RIDDLE: Yeah, ab- absolutely.

RIGHTHOUSE: Okay, because they – because they – not only do you vaguely remember the un-handcuffing, but he even told you that it was wrong. That's a statement.

RIDDLE: Well, I – I don't know what to tell you. I don't remember...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

RIGHTHOUSE: And the opposite of that...

RIDDLE: And – and I'm not denying that that's on there. Obviously it was a poor choice of words.

RIGHTHOUSE: The opposite would be when you talk to me and you do say you don't recall. I mean, this is – this is – well I do say black and white. I think this is pretty black and white. This is you tellin' me you don't recall, and I'm good with that.

RIDDLE: Mm-hm.

RIGHTHOUSE: But this is you telling someone else not only do you recall, but you remember him even telling you that it was wrong and...

PINCKARD: Because those are the questions that are being presented to him by Sex Crimes, by (Leslie), by the DA. So...

RIDDLE: I would just – I would just ask you as you're going in this, whatever decision you're making, make sure you look at all of it, okay? Make sure you look at...

RIGHTHOUSE: At Leslies...

RIDDLE: Make sure – well, it doesn't always happen. Make sure you look at what (Leslie) said. Make sure you look at her report. And if it's not accurate, maybe you should talk to her about the conversation that we had, okay? Because it – it gears down the same lines of why I'm telling you at this point in time, I'm almost pretty much believin' that there was a conversation. Doesn't change the fact of whether I remember it or not, 'cause I still don't.

PINCKARD: But you've convinced me that I had a conversation with him about this.

RIGHTHOUSE: So I guess in a nutshell, wrappin' it up, because you believed you had a conversation that you don't remember, you said you did.

PINCKARD: And the reason I believed that I had the conversation...

RIDDLE: Because I'd been told over and over again, asked about this conversation that happened.

RIGHTHOUSE: So when I interviewed you after this interview, why didn't you just tell me the same thing?

RIDDLE: Why...

RIGHTHOUSE: Why didn't you just say, I do have a vague memory. He did call me on the phone. I did talk to him about the un-handcuffing.

RIDDLE: When you interviewed me?

RIGHTHOUSE: Yeah.

RIDDLE: Because I don't have a vague memory.

RIGHTHOUSE: So that's my point. So why didn't you tell him the same thing?

RIDDLE: I understand that. And when we talked last time, I told you that that was taken out of context. And at that point in time, I had already been hit up so many times about this, in my mind I – I still right now sittin' here, I'm pretty confident there was probably some kind of conversation along that line. It still doesn't change the fact that I don't remember what it was, 'cause I wasn't lookin' at him as far as doin' somethin' wrong. At that point in time, I had no frickin' clue there was somethin' wrong. So there were things that had I known, if I was in your seat right now and knowing everything what's goin' on, I would've paid a lot more attention to the specific details of what was said on that conversation on the phone. At the time I had it with him, I wasn't that worried about it, because what I was talkin' about wasn't a big deal. I had a lot of other things goin' on in my life. I'm very busy. I got a lot of other stuff goin' on. He's not the – the most of my worry 'til now. So I – I don't – I don't know what else to tell you.

RIGHTHOUSE: All right. The only other question I have for you is when you received the email from Moncrief in April and when we had our interview, you told me that you didn't give that email to (Holden), because you knew that Moncrief had already quit the department and left...

RIDDLE: Well, I was told that he had quit, that we'd already – we had, uh, his – the girl that accused him was arrested, that the whole thing was gettin' dropped, nothing was goin' anywhere; so I didn't send it over to him.

RIGHTHOUSE: Who – who told you Moncrief quit? What information did you have that Moncrief wu-- quit the department in April?

RIDDLE: Oh, besides the news and everybody else talkin' about it? Those rumors that were flyin' around. I – I don't know – I don't know what to tell you. That's what everybody was talkin' about, that he had quit, that stuff had gone to the DA's office, the female that made the accusation was arrested again down at Southern Division and at 10A51,

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Approved by:	<u>M.N.</u>	Date of Report:	<u>January 6, 2015</u>		

that the whole thing was washed out, it wasn't goin' anywhere, he had filed a lawsuit. That's what was happenin', okay?

RIGHTHOUSE: So were you – were you assuming he quit?

RIDDLE: Well, I guess again, here we go with assuming that the rumors are correct and assuming that maybe what said happened maybe happened.

RIGHTHOUSE: Well you – I – I'll just tell you. I mean, I'm not hiding anything from you.

RIDDLE: Well, no, I'm not trying to hide anything and I – I don't...

RIGHTHOUSE: The email you got was in April. Moncrief didn't leave the department until May 12.

RIDDLE: Okay, well, I don't know what to tell you. I was told that he – he was quittin' and everything was done.

RIGHTHOUSE: All right.

RIDDLE: So, I mean, when I – when I sat down – the next time I sat down and had a conversation, I brought everything to the table, every- everything that happened. I – I gave it to wa- -- I mean, I – I gave it to the DA when – when they were sittin' there and I – in fact, I brought it to their attention, said, "Hey, for – for your purpose down the road..." You talk about tryin' to be honest and straight forward, tryin' to be helpful, down the road, if this is gonna help, 'cause obviously at that point in time when they hit me up, I learned that maybe they were lookin' at it again. H- here's somethin' to go forward with if it'll help you.

SAYASANE: Why didn't you bring that to, uh, to (Holden) or in Sex Crimes?

RIDDLE: Because at that time I was told that he – er, under the belief he had quit and the charges weren't goin' forward. The female had been arrested. Everything was dead in the water. He'd filed a lawsuit against the department, and that's the direction everything was goin'. So...

SAYASANE: You don't think that'd be helpful to the department...

RIDDLE: Well, obviously now I do.

SAYASANE: ...towards the lawsuit or?

Investigator's Report

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RIDDLE: Well, why do you think we're talkin' to the DA's office and city attorney or whoever else is gonna be comin' up?

SAYASANE: Okay.

RIDDLE: I mean, that's...

SAYASANE: And what...

RIDDLE: ...that's why I provided it and gave it to them, because I thought it might be helpful.

PINCKARD: When – when was the, uh, DA interview?

SAYASANE: June.

RIGHTHOUSE: June 6, 2014.

PINCKARD: Do you know when the CRE came out on that?

RIGHTHOUSE: No, not off hand.

PINCKARD: What was – what – what do you say was his actual separation date?

RIGHTHOUSE: I believe it's May 12, is what's stated on the letter.

((Crosstalk))

PINCKARD: I think we're just chasin' our tails at this point.

RIDDLE: Yep.

RIGHTHOUSE: It's about 2314. That'll conclude the interview.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.N. Date of Report: January 6, 2015

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE: (occur) [REDACTED]

LOCATION: 1401 Broadway San Diego, Ca. 92101

SUBJECT: Assault Under Color of Authority Case [REDACTED]

VICTIM

[REDACTED]

SUSPECT Moncrief, Donald Vincent #6388

[REDACTED]

[REDACTED]

CHARGES:

- 236 PC False Imprisonment
- 243.4(c) PC Sexual Battery
- 149 PC Assault Under Color of Authority
- 314.1 PC Indecent Exposure
- 68 PC Bribery

WITNESS LIST:

See attached list

SYNOPSIS:

While under arrest and in police custody and therefore could not leave, [REDACTED] (Hereafter for the purpose of this report will be referred to as [REDACTED]) was sexually assaulted under the color of authority by San Diego Police Officer Donald Moncrief #6388. The assault took place while [REDACTED] was being transported by Officer Moncrief, to the Los Colinas

Reporting Officer L. Albrecht I.D. 4517 Division Sex Crimes Unit

Approved By [REDACTED] Date of this report 4/1/14 Time 1300 hours
P.D.-153A (11-77) [REDACTED]

Follow-up Investigation

SDPD

Page 2

Women's Detection Facility located in Santee California. [REDACTED] was the only prisoner in Moncrief's patrol car.

INVESTIGATION:

On **February 12, 2014** My supervisor, Sgt. M. Dobbs #5228 requested I interview a woman who had identified herself as [REDACTED]

According to Sgt. Dobbs, [REDACTED] reported that while she was in custody on [REDACTED] she was sexually assaulted by her arresting officer. According to Sgt. Dobbs, [REDACTED] stated she recently saw a picture of San Diego Police Officer Christopher Hays #6822 on the television and believed he was the officer who assaulted her.

I called [REDACTED] on the telephone and made arrangements for her to meet with me and Sgt. Dobbs for an interview at our office, located at 1401 Broadway in San Diego. The meeting was to take place on [REDACTED]

Prior to meeting with [REDACTED] I ran a criminal background check and found that as she had been arrested on [REDACTED] at the US Border to Mexico, Otay Mesa crossing. See Inc. [REDACTED] The charge was for possession of stolen property (496 PC).

The arresting report showed that San Diego Police Officer Donald Moncrief #6388 as the arresting officer and also the transporting officer. A computer check of Officer Moncrief's shift for [REDACTED] showed he was logged into vehicle #6947 and his journal for that shift reflected his transporting of [REDACTED] to Los Colinas Women's Detention Facility.

A computer check of Officer Chris Hays' shift for [REDACTED] showed Officer Hays as never having contact with [REDACTED] during that shift, nor being in the Southern Division area at anytime during his shift.

On [REDACTED] Sgt. Dobbs and I met with [REDACTED]. The interview took place at the San Diego Police Department Headquarters building located at 1401 Broadway in San Diego.

With [REDACTED] knowledge the interview was audio recorded. See EVIDENCE section of this report for the impound of that recording.

CRIME		VICTIM / WITNESS		M.O. INFORMATION		PROPERTY		ADMIN	
RELATED REPORTS Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		ADD'L. OFFENSES LISTED IN NARR. Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		SAN DIEGO REGIONAL CRIME / INCIDENT REPORT		PAGE 1 OF 1		CASE NUMBER	
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) 243.4(a) PC		LOCATION OF INCIDENT (OR ADDRESS) 1401 BROADWAY		CITY SD		BEAT 524		DISTRICT	
SP W-TYPE 06 06		VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) DOE, JANE		RESIDENCE ADDRESS		CITY		STATE ZIP	
RESIDENCE PHONE		SEE RACE CODE LEGEND ON TOP OF BACK PAGE		RACE		SEX F		DATE OF BIRTH	
ID TYPE		ID NUMBER		INTERPRETER REQUIRED		Y <input type="checkbox"/> N <input checked="" type="checkbox"/>		RELATION TO: VICTIM / SUSPECT	
STATUS U		EMPLOYER (RANK IF MILITARY)		BUSINESS OR MILITARY ADDRESS		CITY		STATE ZIP	
BUSINESS PHONE		ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)							
V SP W-TYPE W DC RP		VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)		RESIDENCE ADDRESS		CITY		STATE ZIP	
RESIDENCE PHONE		RACE		SEX		DATE OF BIRTH		ID TYPE ID NUMBER	
INTERPRETER REQUIRED		Y <input type="checkbox"/> N <input checked="" type="checkbox"/>		RELATION TO: VICTIM / SUSPECT		R A S R A S		DAYS OFF WORK HRS.	
STATUS		EMPLOYER (RANK IF MILITARY)		BUSINESS OR MILITARY ADDRESS		CITY		STATE ZIP	
BUSINESS PHONE		ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)							
TOTAL # OF WITNESSES AT CRIME: 0		WITNESS TYPE: 01 ARRESTING OFFICER 12 OTHER EXPERT		06 OTHER LAY WITNESS 13 INVESTIGATOR		07 NARC CHEMIST 16 OTHER POLICE		STATUS E EMPLOYED S STUDENT U UNEMPLOYED N NON-SALARIED WORKER	
PLACE OF ATTACK: 1 Structure 2 Vehicle 3 Street/Alley 4 Lot/Park/Yard		5 VESSELS 8 Other							
DESCRIPTION OF SURROUNDING AREA: 1 Residential 2 Business 3 Industrial/Mfg. 4 Recreational 5 Institutional 6 Open Space 7 School 8 Marina/Water 9 Other									
FORCE TOOL WEAPON SPECIFY: HANDS		HOW USED: GRABBED V BREASTS							
TYPE OF STRUCTURE N/A		POINT OF ENTRY N/A		SECURITY USED		SUSPECT ACTIONS			
1 BANK/S&L/CU 2 BUSINESS OFFICE 3 COMMERCIAL VEHICLE 4 CONVENIENCE 5 DEPT 6 DRUG/MEDICAL 7 ENTERTAIN/RECREATION 8 FAST FOOD 9 FINANCE COMPANY 10 GAS/ERY STA. 11 HOTEL/MOTEL 12 JEWELRY/COIN/PAWN 13 LIQUOR 14 MFG/CONSTRUCTION 15 PUBLIC BLDG. 16 RESTAURANT/BAR 17 RETAIL GOODS 18 SCHOOL 19 SERVICES 20 SUPERMARKET 21 WHOLESALE 22 TARGET(S) 1 CASH REG/DRAWER 2 COIN-OP MACH 3 DISPLAY ITEMS 4 OFFICE 5 PERSON 6 SAFE/BOX 7 STORAGE AREA		1 APT/CONDO 2 DUPLEX/TOWNSH 3 HOTEL/MOTEL 4 HOUSEBOAT 5 SINGLE DETACH 6 TRAILER 7 TARGET(S) 1 ATTIC 2 BATHROOM 3 BEDROOM 4 COIN OP MACH 5 DEN 6 ENTIRE HOUSE 7 FAMILY ROOM 8 GARAGE 9 KITCHEN 10 LIVING ROOM 11 PERSON 12 STORAGE AREA 13		1 UNKNOWN 2 FRONT 3 GARAGE 4 REAR 5 SIDE 6 GROUND LEVEL 7 UPPER LEVEL 8 DOOR 9 DUCT/VENT 10 ROOF/FLOOR 11 TRUNK/HOOD 12 WALL 13 WINDOW 14 TYPE LOCK ATTACKED 1 ALARM 2 DEFEATED 3 DEADBOLT 4 PADLOCK 5 SPRINGLATCH 6 SLIDE LATCH/ CHAIN 7 VEHICLE LOCK 8 WINDOW LATCH		1 UNKNOWN 2 ATE/DRANK ON PREMISES 3 BLINDFOLD VICTIM 4 BOUND VICTIM 5 CAGED AREA 6 CHILD MOLEST 7 CHILD NEGLECT 8 CONCEALED GOODS 9 DEFEATED SECURITY 10 DEFEATED 11 DEMANDED CASH 12 DEMANDED JEWELRY 13 DISABLED PHONE 14 FIRED WEAPON 15 FOLLOWED/STALKED 16 FORCED ENTRY 17 FORCED VICTIM TO LAY ON FLOOR 18 FORCED VICTIM TO MOVE 19 FRAUD/FALSE PRETENSE 20 GANG RELATED 21 HID/CONCEALED OWN FACE/WORE MASK 22 HIDEOUT TECHNIQUE 23 INFLECTED INJURY 24 OFFERED ASSISTANCE 25 OFFERED DRUGS 26 OFFERED GAMBLING 27 OFFERED SEX 28 OTHER SEX ACTS 29 PICKED POCKET 30 PREPARED EXIT 31 PURSE SWATCH 32 PUSHED/SHOVED VICTIM 33 PUT CASH IN BAG/PURSE 34 RANSACKED 35 RAPED 36 SHOPLIFTED 37 SMOKED ON PREMISES 38 TAMPER WITH VEHICLE 39 THREATENED RETALTN. 40 TOOK ANIMALS 41 TOOK CASH FROM REGISTER PERSONALLY 42 TOOK ONLY JEWELRY 43 TOOK ONLY MONEY 44 TOOK ONLY TOOLS 45 TOOK ONLY TV/STEREO/ CAMERA 46 TOOK PROPERTY FROM PERSON 47 TOOK PROPERTY FROM VEHICLE 48 TOOK VEH. PTS/ACCES 49 TOOK VICTIMS VEHICLE 50 USED DEMAND NOTE 51 USED LEFT HAND 52 USED LOCKOUT 53 USED MATCHES 54 USED PHONE 55 USED RIGHT HAND 56 USED STOLEN VEHICLE 57 USED THREATS 58 USED VICTIM'S TOOL 59 VANDALIZED 60 VEHICLE NEEDED TO REMOVE PROPERTY 61 OTHER 62 PRETENDED TO BE:			
ITEM NO.		ARTICLE NAME		STOLEN REC'D		IDENTIFICATION NUMBERS		BRAND, MAKE OR MANUFACTURER	
MODEL NAME AND MODEL NUMBER		MISCELLANEOUS DESCRIPTION		VALUE					
VICTIM INJURED: Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		EXTENT OF TREATMENT: 1 ONE 2 TREATED 3 HOSPITAL 4 DEATH		SIC: Y YES A ADULT J JUVENILE N NO-PROBABLY IS 1 2 3 4 5 6 7					
REPORTING OFFICER ALBRECHT		I.D.# 4517		DIVISION SCU		APPROVED BY		I.D.# ALBRECHT	
DATE AND TIME OF REPORT 03 04 14 0800		CASE STATUS		AGENCY SDPD		CRIME TYPE 243.4(a) PC			

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE: March 26th, 2014

LOCATION: Los Colinas Women's Detention facility

SUBJECT: Follow up interview

VICTIM: [REDACTED]

OFFICER STATEMENT:

On March 26th, 2014 at approximately 1539 hrs, DDA Annette Irving and I met with [REDACTED] (Hereafter for the purpose of this report will be referred to as [REDACTED]) at the Los Colinas Women's detention facility. [REDACTED] was currently in custody on an unrelated issue. [REDACTED] agreed to meet with us and have the interview recorded. I explained to [REDACTED] that I had brought with me some maps of the area in which she reported being sexually assaulted by Officer Moncrief while she was in his custody and enroute to Los Colinas. I wanted to go over the maps to better understand exactly where the incidents occurred.

Paraphrasing, the following represents [REDACTED] statements as well as her responses to my questions:

I ask [REDACTED] to look at the first page of the map and show me where she remembers Officer Moncrief pulling over to remove her handcuffs.

The first stop where he took off my handcuffs happened right after we left. I remembered because the lights were yellowish or orange-ish. I remember looking and the area was brighter. Like about here.

([REDACTED] pointed to area on the map and I circled it. (See attached).

I then began to discuss the freeway portion of her ride to Los Colinas. I asked her at what portion of the freeway does she recall that Officer Moncrief began to masturbate.

About the half way point is when he started. Because at the beginning I was talking to him to try and change the subject. I kept trying to change the subject. Like in the beginning when I found out he wasn't with his babies mom. He had his son. That he was in the Marines. He wanted to know about why I was the way I was. He asked how come I don't live with my parents. What was that about and little stuff like that.

I ask [REDACTED] to point to the area on the map that depicted Hwy 94 east bound and show me where Moncrief began to masturbate.

Reporting Officer L. Albrecht I.D. 4517 Division Sex Crimes Unit

Approved By Sgt. M. Holden #4997 Date of this report 04/04/14 Time 1600 hours
P.D.-153A (11-77)

██████████ points an area where Hwy 94 eastbound passes Lemon Grove-College Ave and Massachusetts Ave.- I circle it)

Probably in the curve. About half way. I remember there was nobody on the road. It was pretty much empty and dark. I remember he would turn the light on inside the car and I would tell him not to look. Like I was shy. He would drive slow. Like swerve a little. Go lane to lane. He "nuttet" I'm pretty sure it was when we were coming off the freeway. I remember he said something about finishing. I don't know the exact words. I'm not sure where it was. Maybe at the end of the freeway.

(Showing map 6) I showed ██████████ how the vehicle passed the Cottonwood turn on the AVL map. I asked her if she knows why.

He was looking for a place. Oh I know. He misses his turn. He just missed it. This is when he couldn't stop. (Pointing to passing Cottonwood.) He finished here (ejaculated). He couldn't stop because he was finishing here (ejaculating). Then he turns around slow.

I showed ██████████ the area on 4th Ave that she told me during her second interview that he stopped the car. I asked her if she knows why.

It was to put my handcuffs back on. When we parked he said, "I got to put your handcuffs back on. Before we get to Las Colinas."

I then showed ██████████ the remaining route that Moncrief took. I explained where the car was driven and how long he stopped at places. I began to ask her if she recalled what happened at these locations.

That's the call. (Pointing to the area in front of the entrance to Las Colinas.) Here is where (referring to where the call was made). I was wrong with the place but I just remember what I saw. What I saw was a field and a fence like here. (Pointing to the area near the corner of Cottonwood and Mission Gorge on Map 11) The first time (stopping) he put the handcuffs back on, he kissed me then. The second time (stopped) he wanted another kiss. Now I remember that. This is when he wanted another kiss and he wanted to escalate to a little bit more.

I asked ██████████ if this was the place he pulled out his penis and asked her to kiss it.

Yes (nodding). He was like antsy. He wanted to mess around with me but he is in a rush to get the paperwork. I just remember he parked and got out and he tried searching again around me. Like thinking the paperwork is maybe going to be around me. That's when he says, "Can I get another kiss?" By that time when we parked I was just staring out the window. That's when I saw the field. He kept asking me if I'm going to bail out.

I told him well I'm going to try. I didn't want to be here. I wasn't sure. He asked me then if I was going to bail out if I wanted to come over that night. He made it seem like his house or like a roommate or something. He made it seem like he had custody or something.

I asked [REDACTED] if Moncrief asked her, her "Placazo".

Yes. I told him [REDACTED] He asked me names of people and I would tell him it was a friend or something. This was at the border. He patted me down. He had to put his handcuffs on me and give theirs back.

I asked him his name and he told me he wouldn't tell me his name until I got out. He didn't give me his number. He took mine. He texted me. I think it might have been that same night when I got out. I think I went to my moms. I think it was at night because he works nights. He texted me, "Your out?" I said, "Who's this?" Then he text back, "I told you it wouldn't stick. LOL" That's how I knew who it was. He never said his name. Then he said, "So when can I get another kiss?" I did text back. It was only like 3 or 4 texts. That was it. We never spoke on the phone. I saved his number under "C". I had the messages saved for awhile. But on that day I got locked up, I deleted them. I deleted everything on my phone because I knew the cops had come. Because there is delete and delete all. I hit delete all.

We were in the downtown garage for awhile. I don't know what took him so long but he even apologized to me for it. He was whispering stuff to me like he wished he could do something with me right there. He wanted to take the handcuffs off right there because he could see I was falling asleep and I was uncomfortable. But he couldn't because there was another officer parked next to us. He was talking excited. Like he wished it could happen right there.

When I first met him I felt like he was young. Like new. He was flirting with me. He told me right away that as soon as he saw me he was like, "Damn" he said, "Your beautiful and you have some big breasts." We were already in the car. I don't know if we were in the car or when he was about to put me in the car because that's when he asked me what size by breasts were. That was the first comment about my body he said. But his flirtation and comments started at the Border. In the room there. That's when he said I bet you get a lot of attention from guys. I bet guys want you a lot. That's what opened it from there.

(Ends 1619 hrs)

**Detective Leslie Rice-Albrecht
San Diego Police Department
Sex Crimes Unit**

INTERVIEW OF [REDACTED] (VICTIM):

Paraphrasing, the following represents [REDACTED] statement as well as her responses to my questions:

(1455 hrs.)

Last year on Super Bowl I was with a guy I had just met. We were going to go out to eat. It was all bad and I end up getting arrested. Hays was my arresting officer. It was the night time. I think my charge was possession of stolen property.

The guy ran. He got away. I didn't even know anything, so I got arrested. The case ended up getting dropped.

It was at the Otay Border. Border Patrol contacted SDPD and Hays was the one who came out. So he comes out and we go back to an interview room. We are in there talking and he asked me what happened. I told him what I just told you. I told him I didn't know anything. I was fighting at the time with my parents so I didn't really have anywhere to go. So I was mostly kind of just on the streets. But I had a job, so I was okay. I had a reliable income.

So we are in there and talking and he asks me where I'm from? I told him [REDACTED] Like the part of South Bay. He says it was his jurisdiction. It was where he works, 27th Street. He said he knows all the "Homies" right there. I was okay with that. It was a good friendly conversation at first.

Then he started making a statement that I had big breasts and that he couldn't stop staring at them. He said he wanted to feel them. It just kept escalating from there. When he took me to jail, we went downtown and he just kept wanting to know about sexual stuff. Like how I like to have sex. What was my favorite position? What's the most I've ever done?

The first statements about my breasts started at the Border Patrol station. Then when we got into the car it was more. I know it was Officer Hays because I remember his face. He had even given me his number. Well he didn't give me his number. He took my number. When I got out, three days later, he had text me. The text was, "I told you it wouldn't stick." I don't have that phone anymore but I still have the number. I think it's still barely getting closed out. It was boost mobile.

I didn't report it back then because I don't know. I (*endured*) a few things as a child and I've never said anything. Because the one time I did say something, somebody told me it happens to everybody. Just man up.

You were sexually assaulted before?

Yes. So I just learned to cope with things. And deal with it.

At this point in the interview I explained to [REDACTED] that if she knowingly makes a false police report, it's a crime. I wanted to make sure she was aware of the seriousness of her allegations. I knew at this point that Officer Hays was not her arresting Officer on the night she was arrested. I asked [REDACTED] to explain again how she is sure that this person was Officer Hays.

Okay, before a lot of the sexual stuff started...I mean I know I read and looked up everything. Already. Like I looked up his case. Before I read what I read, he had told me. I remember perfectly because I couldn't forget. So he tells me that he had just got out of the Marines. He just joined the police force like four years ago.

Yes, he said that. Because I just kept trying to change the conversation. I mean I'm a very nice person. I just talk. I go with the flow and I just kept trying to change it. He was telling me that he had a son and that he wasn't with his wife. He wasn't with his baby's mom. That he had his own place. That he barely got out of the Marines and he barely got on the police force for four years. That he worked at the 27th substation. That's how I knew it was him for sure. Because I read the same thing that he told me. It's not like I read and I'm saying he told me. No, he told me and then I read it.

I remember in December it started coming back to me. I don't know why. I was reflecting on my life. Why did I have such a horrible life last year? Like the whole 21. After it all happened, I lost my car. I lost my job. I went into like a really, really bad self destruction. Like really bad. I ended up in Mexico for awhile. I started telling people that I was taking advantage of by a cop. But I didn't know what to do. It's a cop. My friends would ask me what I wanted to do. I didn't know what to do. Like nobody was going to listen to me. They told me that they would and that I just got to go.

So why did you come forward now?

I believe that everything happens for a reason. Things start coming back to me to either fix it. Or to help it. To prosper with myself and help any other people I need to help. For the last two weeks it's really been bothering me. I've been telling a lot more people and I'm really not that open about stuff like that.

So when he gets downtown with me, he has to do his paperwork. So I'm in the back of the car sleeping. Then he takes me to Los Colinas. But he doesn't take me there right away. We went and parked down the block somewhere. We were parked for like 20 minutes. It was like 20 minutes we drove around before Los Colinas.

After everything happened and then he was finally going to take me to Los Colinas, he realized at one of the stops that we had stopped, and he got out of the car, he lost the report. My report to be booked into jail. So that's it. It took us another while too because he drove back to downtown to look to see if he could find the report. At some where we got off. He even called his chief. He said he was going to call his Chief and see what he could do. He called him and asked if he could just let it go. Like he wanted to let me go after all of that. But his chief told him no. Just rewrite another report.

So he drives you all around. What you meant though is that he drove you there and back and there again. And he parked it one time?

He parked it in two different spots. One down here. In downtown, and one over there by Los Colinas. Yeah he parked twice. A lot of the reason I didn't come forward was because I felt guilty. I mean I went along with a lot of it just because of the situation and I blamed myself for a lot of it because I didn't say anything. I just let it play out. I mean I went along with a lot of it just because I didn't know what to do.

He touched me. He felt my breasts. I was in the back seat. It was one of those streets, before you actually get to Los Colinas. By the bail bonds. There's houses on that side. It's probably like in there. On that side.

First it was like a field. You go and you turn into those houses. If you kind of keep going. Somewhere in those houses there is like a little field. There's this one kind of animal gate. But it's like a dead-end type of place. That's where he parked. He parked twice when we went to Los Colinas. Because the first spot we went to he didn't feel was a good spot to be because there was too many houses. So that's when he found that other spot. The dead-end.

And downtown it was late and somewhere on one of these streets like looking down here like facing down here. He turned off his computer. He turned it off a few times.

He was jacking off. He came. He busted. I was in the back. He was standing next to me. When at first it started, he was in the front. And he's talking like sexually and he's jacking off. He gets off right when he about to and I guess he did. I tried to block out the whole situation. Like endure it. When he got out of the front seat, he came and he said, "You want to see it?" I told him I don't know. I guess because he is already doing what he is doing. So I just take a quick look and then look away. The he is like, "Can I kiss you?" I just laughed. He kissed me. And then that was it. He wanted...like he tried to come in all the way. He wanted to have sex too. I was like, no. He told me, "Can I put it in you right here? Like, real quick?" I was like, "No".

He had me unhand cuffed from when we left here. That's why we parked right there so he could handcuff me. When we got to the first spot where he said there was to many houses right there, that's where he put the handcuffs back on me. And then he went to the other spot. He took my hand cuff s off because he said I didn't seem like a threat. He could let my hands go so I could relax.

So when he is finally taking me to Los Colinas he can't find the paperwork and he is freaking out. He couldn't find his report that he was suppose to give when he got there. I guess that never happened to him before so he didn't know what to do. So we back tracked. We go to the spots we stopped. And he is searching his car. He said he was going to call the chief and see what he needs to do. He calls him and he tells him what do I do? He is saying, "You know she really didn't do anything". But he said that since he already had me he had to take me to jail. So I guess he rewrites it and then takes me in.

I remember it was Hays because I saw his face on TV. I was at Viejas and remember seeing his picture on one of the TV's. I stopped and walked over there and just watched.

When he kissed me, he does it for like 2 or 3 seconds until I pulled away. I was handcuffed when he kissed me. He asked me to touch him when he was hard and I wasn't handcuffed then. I didn't do it.

He had started whispering stuff to me when we were downstairs when I was in the car waiting. He was telling me how wanted to take me home that night and do whatever he wanted to do to me.

I'm going to go get the text messages for you guys. I replied to him. I remember I said who was this? He replied and I remember it told me it was him. I asked him what his name was and he said he wouldn't tell me until I got out. He said, "Until I see you again." I don't remember exactly what he texted to me but he made a statement to where I knew it was him. It was when I got out. He sent about 3 or 4 messages asking when he was going to see me. He wanted to know where I was at and what I was going to do now.

The guy that arrested me was 28. He said he was 28. He was white. He had blonde hair. He looked young.

After interviewing [REDACTED] I explained to her that Officer Hays was not the person who arrested and transported her. [REDACTED] became emotional and began to cry. She stated she was positive it was him. She recognized his face on the television recently. She was adamant that she wasn't lying. I told [REDACTED] that she has the right to have an investigation. I asked [REDACTED] if

she still wanted her case investigated. She said she would still like the investigation. I told [REDACTED] I would look into it and get back with her.

On [REDACTED] after interviewing [REDACTED] Sgt Dobbs #5228 requested the AVL (Automated Vehicle Locator) for vehicle #6947 on [REDACTED]

On **February 14, 2014**, Sgt Dobbs advised me that he had received the AVL disc (Automated Vehicle Locator) for vehicle #6947 for the time period of [REDACTED]. I reviewed the AVL disc. I observed that vehicle #6947, driven by Officer Moncrief did in fact take a different route to Los Colinas, as [REDACTED] reported. The vehicle appeared to stop blocks prior to arriving at Los Colinas. It also showed the vehicle pulling into Los Colinas and a short time later, leave the facility and drive back to where it had been parked, as [REDACTED] had stated as well. I discussed my observations with Sgt. Dobbs and we decided to contact [REDACTED] and ask her to drive the route with us so she could point things out again.

On **February 14, 2014**, Sgt Dobbs and I drove to Chula Vista Police Department and met with Detective V. DeoCampo. I had spoken to DeoCampo an hour earlier requesting him to verify if his department still had possession of the impounds from their case [REDACTED]. DeoCampo had returned my call shortly after and stated he found the impounds from that case. According to DeoCampo, a total of 3 cell phones were impounded on that case. One of the phones had been a stolen phone and showed in his records as having been returned to the original store. He still had 2 phones in custody. DeoCampo verified that they were no longer needed in the investigation from his agency and agreed to release those phones to me. I took custody of the phones from DeoCampo on February 14th, 2014. I looked at both phones and saw one looked similar to the description [REDACTED] gave me. I powered up the phone and checked her contacts. Under the letter "C" I observed phone number [REDACTED]. I then checked for any saved text messages and found none.

FOLLOW UP INTERVIEW OF [REDACTED]: (VICTIM):

On [REDACTED] Sergeant Dobbs #5228 and I met with [REDACTED] again. I explained to her that I wanted her to show us the streets she remembers driving through with the officer. [REDACTED] said she would do her best to remember the streets and show us. As we drove I asked [REDACTED] a series of questions and had her explain again what she recalled from her "in custody" time with Officer Moncrief.

Paraphrasing, the following represents [REDACTED] statement as well as her responses to my questions:

I went along with it all because I was thinking it would be a way to get out of it faster.
That's how I took it. He didn't actually say it. I just thought if I went along he would be

easier on me. When I was at the border he talked about my breasts and stuff. When we are on the way to the police station he is making little comments about my breasts and that I probably get "Hit on" all the time. He wanted to know how many guys that had hit on me and had I been with. I tried to change the subject a few times. He was asking me about myself. My background. I told him a little and then I said to him, "What about you? He said he had been with San Diego Police for 4 years. He just got out of the Marines and he had a little boy. He said he wasn't with his babies' mom. They were having some issues. I'm still handcuffed at that time.

Then when we are at the police station, and I fell asleep in the back of the car. Then when he drives me to Los Colinas, he stops the car just before the freeway. He pulls to the side of the street and gets out and takes my handcuffs off. I didn't ask him too. He just offered. He said, "I'm not supposed to do this. But I'll do this for you." He wanted me to masturbate myself while he drove. He was talking dirty. He wanted to talk about how he would have sex with me. He wanted me to play with myself while he drove and he would play with himself. He was telling me how he was going to start off slow. Soft and passionate. He would finger me first. Start out slow and then go harder and faster.

He was trying to see me but I scooted myself to where he couldn't really see because I was just pretending. He had turned on the lights and slowed down to turn and see me but then I told him not to and he said "Sorry, my bad." It was late or early in the morning so no one was on the freeway. We were the only ones. I knew he was playing with himself because I could hear him. I did see his penis but I didn't see where he nudded (ejaculated). I heard it. By the time he hit the bail bonds place he had got off.

I'm pretty sure he nudded inside his clothes because he said he was all wet and had to go clean himself. So then when we are close he stops by some houses. You know where Los Colinas is? Well there is a fire station and he stops by their, where there are some houses. I want to say the third or second block. He parked in front of a house. He didn't like it there so he moved. He had stopped there to put the handcuffs back on. He gets out and opens the back door. He is pretty much all the way in. He was over me. He didn't get in but was over the top of me. He was kissing me. He pulls his penis out and he was starting to make himself erect again. He says, "I can't wait to put it in you. Can we do it right now?" I said "no". He wanted me to give it a kiss. He was asking me too. His penis was out and it was starting to get hard again. I said "No". He said, "Okay. We'll just save that for next time. After I say no, then he fixes himself and then puts the handcuffs on me. Then he said, "Okay we are going to take you in now."

So the first house, he gets out and he opens the door but he doesn't really like it there. Okay hold on. I think I'm a little bit lying on that part because it doesn't seem correct. Wait.

Its goes from getting off the freeway, he is already by the bail bonds. That is when he is pretty much done. He parks. He didn't get out at the first one. He parked and he looked around and he turned on the light and he opened his door but he seen it wasn't the right place. So he just closes it and he says, "It's not right here." Because he had parked on one side of the street and then made a U- turn, and parked on the other side and he said, 'Hold on" and that's when we drove off.

He went up and down the streets. Like one time. He didn't like the first place. He went like a little bit more down. He ended up by a dead end but probably wasn't a dead end. It was more like where I was looking there were no more houses. There weren't sidewalks. The gate was different (Pointing to entrance of construction of new Los Colinas.) I don't think that was there. They were starting. It wasn't that far along yet. There was a gate and I was looking at the wall. The brown wall (fence). It was by that tree. I remember because I was thinking about running. Like where would I go. We parked facing the construction by that tree (points to a tree).

This was the place were he got out and got into the back (myself pointing down Edgemoore ,near a tree.)

Yes, he leans in. He shows me himself (penis). I just laugh like its cool or whatever. He said, "Can I kiss you?" I said, "I guess." So he kisses me and then I kiss him back and then it was gross and I pull myself away. Then he says, "You're a good kisser. With your kiss you made me horny again. Come here more." And that's when he touches my breasts.

He kissed them (breasts?)

Yes.

He lifted up your shirt?

Yes. I didn't lift it. Yes, I had a bra on but my shirt was low. I guess he pushed it down and pulled it out. So when he finds the place he likes, he stops. He gets out. He opens my door. He says something like he couldn't wait. That it was going to be a fun time. He could tell. He said I was making him horny again.

That's when he kisses your breasts skin to skin?

Yes,

He pulls out his penis and tells you to kiss it?

Yes.

You said, "No".

Yes

He said, "Okay we will save it for next time?"

Yes.

Then he puts it (Penis) away and drives you to Colinas.

(Nods)

About how long did you sit here? How much time did it happen in?

Within like 10 minutes. Then he puts the handcuffs back on me. He apologies and says I'm going to put them back on you because I can't take you without them.

He puts the cuffs on and he tries to kiss me again before he got back into his side. Then we leave. He nutted (Ejaculated) before we got here. He did it before the first spot that he didn't like. When he got out of the car was here (pointing) and that is when he said, "Damn, you made me get it all over myself. I'm going to have to go change. He said, "That's crazy. That's never happened." We got to Los Colinas and we stop at the speaker. That's when he lost the paperwork. He ended up writing it again. He read it to me.

He asked me on the freeway before the sex part. He asked, "So if I took your number, you wouldn't mind. He said, "If I take your number, you're not going to bring over any of your Chollo friends to rob and kill me are you." I said, "Why would I do that?"

So it's when you get to the box at Los Colinas that he cannot find the paperwork?

He looks for it for a few minutes and then he reverses out and he goes back the way we came. He stops when he doesn't know what to do. He stops again and starts making a phone call. He is talking about what to do. He stopped between Los Colinas and the fire station. He was facing the jail.

He couldn't wait to see me. He kept asking me if I was going to get bailed out. He wanted to know if I was going to get bailed out that night or what was I going to do so

...if I did get bailed out, maybe he should call me. If he should call me that night or what should he do?

He kept asking me over and over, when was I going to get out? He wanted my phone number. He kept insisting, "Are you going to bail out? Are you going to bail out? Maybe I should write your number." It seems like a lot he did but at the same time, he is going kind of fast. He's hyper. It was like he couldn't control himself but he was trying to control himself. He was going fast and talking at the sometime. Each stop was I don't know, not long. Not even like 10 minutes.

Each stop happened pretty fast?

Yes. The one at the end was the longest so probably about 10 minutes.. The first time (stop) was probably like a minute and a half or two minutes because he ...honestly the quickness of time was probably like a minute to two minutes but no more than five minutes at each one. He is in a hurry because he notices he has had me in his car for awhile too.

So then at the very end he puts on your cuffs?

Yes.

When he was touching your breasts and kissing your breasts. When that happened was that the very last stop before Colinas?

Yes.

Were you handcuffed when that happened?

I can't recall but I think ...most of the full on...I don't know but I don't think I was. I don't think I had the handcuffs on.

Do you think that he waited until right before Colina's that he put the handcuffs on?

MmmHmm. (Nodding)

So then you go to Colinas. You say he realizes his paperwork is gone. Did he actually go in the gate and then he realize?

Yes, we go to Colinas and we stop and the speaker thing. He is looking for the paperwork and he had stopped at the gate. Where the call box where he is supposed to call in, so they can open the gate. He didn't call in because he is like "I can't find the paper". And so he reverses and parks on the street first, like right in front of Los Colinas.

Without getting out of the car, he looks around him and looks on the visors and the glove compartment. He doesn't see it, so he is like, "Oh shit" He reverses again and then he backtracks. Then he calls someone and has to re-write it.

Then he parks and writes it in the Los Colinas parking lot. Then he asks me one more time while I'm getting booked in. He asked if he could have my number again. I said it was okay.

So maybe the day after I get out. I got a text message from him. I got out at night. I had my court date and then I got out that night. So I'm thinking like the next day maybe around 1000 am. I get a text message from him that says, "I told you it wouldn't stick." Or, "Didn't I tell you it would work?" Something like that. I said, "Who's this?" Those messages were saved in my cell phone. Chula Vista PD has my cell phone. I didn't delete them. Something told me to lock them.

You said you saved that number?

Yes, It was saved under "C".

Why did you choose "C"?

I don't know. I don't remember.

When you asked, "Who's this?" Did he respond?

Yes, he responded. I got like 3 texts from him. I got a few texts from him. He wanted to know when he could see me. When I was going to go visit him. I didn't answer. I might have answered 3 of them. Like who's this and agreeing with it that it didn't stick. He was asking how I was doing. What was I going to do and where was I at? I just stopped answering him. I could tell he was wanting to get with me. I wasn't interested in him. Then I got arrested a month later and the phone was taken. I remember thinking the cops have my phone so they can have his number.

(End of interview)

At the end of this interview and drive, we dropped [REDACTED] off at her requested location. She agreed to continue to meet with me if needed.

On February 15th, 2014 I had made plans to meet [REDACTED] in order to conduct a pretext telephone call. [REDACTED] failed to arrive for our appointment. I spoke to her on February 16th and

she apologized for missing our appointment. She was nervous and scared about the police. I reassured her not to be scared and we agreed to meet again on **February 17th, 2014**.

On **February 15th, 2014** I check Moncrief's listed telephone number with the San Diego police department callback roster. That's number is listed as [REDACTED] I do not see [REDACTED] listed anywhere with the police department as Officer Moncrief's telephone number.

On **February 17th, 2014** I met with [REDACTED] again. The purpose of this meeting is to attempt to have [REDACTED] make a telephone call to Officer Moncrief as I record the conversation. I meet [REDACTED] (per her request) and drive her to my office located at 1401 Broadway in San Diego. Also present for the pre-text call is Sgt. Holden #4997 and Lt. Kaye #3911. They observe the calls from a monitoring room.

Per my direction, [REDACTED] makes the following call to [REDACTED]
(The call is recorded)

No one answers-mechanical voice stating phone number. Per my instruction, [REDACTED] leaves a message

[REDACTED] *Hey, it's [REDACTED] Ummm...I was calling to see if you would answer your phone. I don't know if you're going to remember me, but I remember you, and I was just trying to get a hold of you cause I needed some help. And then you have been on my mind lately so I thought maybe you could help me. Ummm, if you could give me a call back at [REDACTED] I would love to talk to you. Okay? Bye.*

We did not receive a return call. I then told [REDACTED] to text the same phone number.

[REDACTED] texted on 02/17/14 @ 2:56 PM:

Hey Moncrief whats new member me its [REDACTED] from the border you think I could call you I wanted to talk to you.

We then received a return text message on 02/17/14 @ 3:50PM:

Sorry I don't know who this is I think you have the wrong number.

I then instructed [REDACTED] that we will call another number for the officer. I did not tell or show [REDACTED] the phone number. I dialed it without her ability to see it and then handed her the phone. That number I dialed was [REDACTED]

No one answers-mechanical voice stating phone number. Per my instruction, [REDACTED] leaves a message

[REDACTED] *Hey, it's [REDACTED] Ummm... You probably don't remember me, but I was calling you to just catch up with you. See how you're doing and...I wanted you to help me on something that I need help with. If you could give me a call back at [REDACTED] Uhh...I mean I would love to talk to you. You're the only one I could think of, that could help me right now. So, thank you.*

We did not receive a return call. I then instructed [REDACTED] to text the same number. [REDACTED] wrote the text and I typed in the phone number so she would not have the officers current telephone number.

[REDACTED] texted on 02/17/14 @ 3:06 PM:

Hey Moncrief whats new member me its [REDACTED] from the border you think I could call you I wanted to talk to you.

We did not receive a return call or text from this number. The number I instructed [REDACTED] to tell Moncrief to call her back on, belonged to my San Diego Police Department issued Cricket telephone. I carried that phone with me continually until Moncrief's interview on February 19th, 2014. I never received a return call from Moncrief or the person who texted that we had the wrong number from [REDACTED]

I conducted a TLO search on [REDACTED] and it showed as a Sprint number form Chula Vista. There was no owner information available.

On **February 18th, 2014**, at approximately 1730 hours, I called [REDACTED] from my desk phone (619-531-2245). I wanted to speak with the person who sent the text back to Angelica because I needed to know when they began ownership of this telephone number.

There was no answer. I left a message stating who I was and that I needed to talk to the person who owns this phone number. I said it was important we spoke and that I would explain more when they called me. I left my desk phone number. I never received a call back.

INTERVIEW OF DONALD MONCRIEF (SUSPECT)

On February 19th, 2013 I was assigned to interview Officer Donald Moncrief #6388. Also in the interview was Sgt. M. Holden #4997.

Prior to the interview with Officer Donald Moncrief, Sgt. Holden admonished Moncrief his Beheler rights. Holden said:

Hey Don, like we talked about on the phone I got a call to reach out to you. I guess you got a voicemail. I don't know the details about this voicemail. You're obviously concerned about it. I just want to let you know that you're not under arrest. You're absolutely here at your own free will. You can leave at anytime. You don't have to talk to us. You're not under arrest. You understand that correct?

Moncrief replied: Yes

Paraphrasing, the following represents Moncrief's statement as well as his responses to my questions:

(1045 hrs.)

It all started in all honesty it's probably a case of me trying to be a little too proactive. It all started when I was in Southern. Pretty much when I first got here. It was about a year ago. When I was on western street crimes team I gave out my own phone which was probably the worst thing I ever did. So I stated using a pay by phone. A cheap pay by phone. A flip phone. I had that phone up until about a month ago, when I actually broke it so...but I received a phone call. It was on Monday. I was outside mowing the lawn and stuff. I didn't think anything of it at the time. I didn't recognize the number so I figured I would check it later. Then I got a text message a little bit after. The text message was something to the effect...and I thought it was a joke so I deleted it. I wish I still had it because if I had taken it from the get go then all of it could have been solved. Like Sgt Riddle said I could have just called the number and he would have been there to be my witness. But I freaked out. After I thought about it more and more I was like, this doesn't make sense. Anyway it said something to the nature of, "I don't know if you remember me. I'm [REDACTED] from the border. I need to talk to you. Can you answer your phone? I'm in some trouble." Then I checked my voice mail and it said, "Yeah, I don't know if you remember me. It's [REDACTED] I've been thinking a lot about you. I want to get with you. Give me a call." And on the text message, she called me Moncrief. She spelled it correctly. I mean I'm assuming she remembered me as Officer Moncrief. But it's not like that common of a name. My contact with her was a year ago. So that didn't make sense to me either. So I started thinking about it and I was like I never give anybody this phone. So how did she get this phone? So I called. I can still call on this

phone from my other one. And I called and it was there as well. It was a voice mail. I couldn't see if it had a text because I can't see obviously the other phone. But there was a voice mail as well. Basically, saying pretty much the same thing. I got a call on this number [REDACTED]. The other one I can get calls on is [REDACTED]. That's the one I had a voice mail from her on.

So like I said, the first one I brushed off. I started thinking about it. I never give anyone this number. It sounded work related. So then I thought I'm going to call this other one. Because it's good until the end of the month. At the end of the month it expires. Since I broke it I would have to buy a new phone.

So when I realized it was there, I was like, something is fishy about this. So I immediately called my Sergeant. I said, "Sarge, this is what I got." He asked me if I can think if anyone I've come in contact with. I said the only person I can think of and I cannot remember her name but she was a [REDACTED] gang member and she went by [REDACTED]. I arrested her because she was in a stolen car and she was the passenger. They drove it across the border. The driver jumped over the passenger and said you need to drive now. Then they got stopped by Mexican police and the driver took off. So the Mexican police detained her and sent her back to Border Patrol and then she was at the Border Patrol office. They called for us to come get her. So I went out there. I interviewed her and she was super cooperative. From the get go. I asked her if she was a gang member and who she kicks it with. She said [REDACTED]. I said, "What's your Placazo? It's your moniker. She said, [REDACTED]."

I came from Western to Southern to try and get more gang experience. So I was trying to get to know the players. She gave me info. She was being super cooperative. She said she had been using meth for a year and she is homeless. She was asking that since she is giving me information is there any way she could get out of this. I told her no. I can't do that kind of thing. I said let me make a phone call since you were not the driver of the car. My sergeant at the time was Ed Murphy. He wasn't there so I called Sgt. Connelly. Connelly told me to go ahead and do her for possession of the stolen vehicle. So I told her, it is what it is, so I have to take you in on that. I said you were stopped by Mexican police so I don't even know if it will go anywhere or not. I said if you're willing to work though and I kind of explained the free talk a little bit. I told her she could ask her attorney for a free talk. I said or when you get out, here is my number to my work phone. I always tell people it's my work phone. I said to call it when you get out and I have a friend who is a social worker. If you're willing to trade good information that I can put you in contact with a detective, then I have a friend who is a social worker that deals with narcotic abusers. That are homeless and that kind of thing. So I told her I could direct her towards her maybe. I gave her the 410 number.

I basically took her to HQ then and she stays in the car. I drove her then to Los Colinas. We get there and go to get out and I don't have the deck. So I call Sgt. Cahill and I tell him I don't have the deck with me. I asked him what I should do. He said just bring her back to Southern. And I was talking to Sgt Riddle bout this. But I think because it was towards the end of shift that another unit brought her back to Colinas after I wrote the deck. I think.

So three days later she does get a hold of me. She was like, you were right the charges got dropped. I got released. She called me. I said okay are you interested in talking to a detective then. This is where I probably, maybe over stepped boundaries. I said, "Why don't you give me something that I can take to the detective." Because I've handed CI's off or people that wanted to be CI's off to detectives before and nothing came of it. And I always feel like...it kind of makes me mad. I'm wasting time. It makes me look bad.

She was like, "Well let me think about it because I could get killed for this if the gang finds out." I said, "Okay, give me a call if you decide you want to do it. Let me know." Didn't hear from her. That was it. Never made any contact with her after that. I never saw her after I dropped her off at the station and she went off to Colinas. I never saw her again. I haven't seen her since.

My concern is...and Sgt. Riddle said I was making a mountain out of a mole hill. I worked at Western when Dan Dana got busted. I was like...and I knew Dan had done wrong. We all knew Dan had done wrong but we also knew Dan was not the type that would be like, you know, force himself. He's an idiot. I'm like he almost faced prison time. Then I'm like the new guy now. Everybody is like. All the stuff I'm reading about him is he is saying nobody is supporting me. I didn't do it. And the papers are talking about the prison record of the person. If it had just been the text messages, it wouldn't have been that big of deal. But the voice mail message was kind of weird. If she would have said, "Hey I have some info for you." You know, "Do you want to meet up?" I wouldn't have thought anything of it. But saying you know, "I want to get with you." Kind of thing and it's like...I don't know. It just bothered me. Like I said if I had to do it over again, I would have not deleted it. I would have said hey Sarge, this is what I got. I went up to Brett Punches today. He is the senior guy on BCST and I asked him what I should do. I probably did the wrong thing by talking to the chief but it's so hard for me to see him as the chief. I really see him as a mentor. Same thing I see as Sgt Riddle. Sgt. Riddle said I jumped the command and put them in a bad spot.

The following is a question and answer period during our interview:

Det Albrecht: It sounds like everything went fine that night when you had her in your custody.

Off. Moncrief: Yeah. Nothing. Yeah

Det Albrecht: There were no issues with her?

Off. Moncrief: No

Det Albrecht: She was a cooperative?

Off. Moncrief: Yeah, She was completely cooperative and she was forth coming with all kinds of information.

Det. Albrecht: And respectful to you?

Off. Moncrief: Yeah, Yeah, 100%

Det. Albrecht: She didn't proposition you then?

Off. Moncrief: No, she did not proposition me or nothing like that.

Det. Albrecht: Nothing was inappropriate that led you to think she was attracted to you at all?

Off. Moncrief: No, No. Nothing like...there was nothing...I mean.

Det. Albrecht: It wasn't until the phone call?

Off. Moncrief: Yeah, Yeah basically. Yeah, that's what made me uncomfortable, was the phone call.

Det. Albrecht: But not from that night?

Off. Moncrief: No, no. And even when she called me back, when she told me she got released. She was more concerned about getting killed or whatever so it wasn't anything like that.

Det. Albrecht: Well and that's understandable.

Off. Moncrief: Yeah. So it wasn't even anything like that.

Det. Albrecht: So did you think now after all this. Maybe you should call her? Or are you really just don't want do to? Or what would you like me to do? Or you want me to reach out and find out from her?

Off. Moncrief: Ummm. I don't know.

Det. Albrecht: Like what her intention was?

Off. Moncrief: I don't... I don't...yeah.

Det. Albrecht: I mean we don't want to create a mountain out of a mole hill either. We've got enough to do with that other situation.

Off. Moncrief: I think probably. I will probably try and do that with Sgt. Riddle. Well and the thing is too, I don't have and that is part of the problem...

Det. Albrecht: Well Sgt Riddle will be...and Mike can verify this. He will probably be out of it at this point since were involved.

Off. Moncrief: Well I don't even have the number too. So that's a problem too.

Det. Albrecht: Are you okay if I reach out to her, and try to find her? I can probably find her with gang's people and stuff. And just say what were you up too or you know.

Off. Moncrief: Yeah... that's fine.

Det. Albrecht: I feel that will maybe help you with understanding where she is coming from. You know.

Off. Moncrief: Yeah I mean, I just ...I just want a...you know...

Det. Albrecht: And then get back to you. Would that...

Off. Moncrief: Yeah, I guess, like I said. I just...I just wanted to make...I just wanted to know is she like...if there was some kind of...like I said...I mean ...accusations being made. Because like you know what bothers me the most ...I've never been in this position. And I feel like ...you knows it's like I just want to tell...you know want to be able to say exactly what happened.

Det. Albrecht: Well what makes you think that, "I want to know if there accusations being made?"

Off. Moncrief: Because of what's going on.

Det. Albrecht: But you said that night everything was...

Off. Moncrief: No, no. That night everything was fine yes.

Det. Albrecht: So nothing happened that night that would make you think she would come forward and say anything.

Off. Moncrief: No, nothing.

Det. Albrecht: Then you should have nothing to worry about.

Off. Moncrief: Yeah.

Det. Albrecht: Because you know when you think about it...the gangster girls say I want to get with you sometimes means...hang.

Off. Moncrief: I have never...yeah but I... that's another thing too. Even if she meant hang. It's not like a social thing. I never made it like... hey lets hang out... let me get to know you kind of thing. That's what bothered me too. It's not like it's a social thing. You know...I...and in fact ...I'll be honest I was a little worried about the fact that I'm....cause even Sgt. Riddles like "you know you can't work CI's. So you were going to hand her over to a detective right?" And I said "yes", I totally planned...I was going to hand her over to the night team guys. But you know I just ...

Det. Albrecht: [REDACTED]

Off. Moncrief: [REDACTED]

Det. Albrecht: But did you say, [REDACTED] this is her information. This is where you can reach her. Maybe you can work her?

Off. Moncrief: No, I didn't. No, I didn't ...no...

**Further into the interview...*

Off. Moncrief: I have no idea what happened to the deck. I have absolutely no idea. I re-wrote it myself back at Southern. I think I took her into the station. I'm sure I wouldn't leave her in the car. I have no memory of who transported her. To be honest that's the fuzziest part of it. I think I remember that's why somebody else did it because that's why Sgt. Cahill told me to come back to the station and do it. I'm 99% sure. But I can't be 100%. I have everything on MCT. That's the thing too. I put everything on MCT. Everything.

I can't remember which way I went to Los Colinas. It is that street that had the bumps at the end. Yes, 125. I'm trying to remember exactly. I can't remember streets I just remember to turn at the bail bondsman.

Sgt. Holden: When did you realize you didn't have the deck?

Off. Moncrief: Once I got into the parking lot. The secured parking lot. Now I did when we got out past the parking lot, I did kind of like....or when we pulled out the parking lot, I stopped briefly just to see if I had lost the deck somewhere or just to see if it had blown out, or anything. I did stop briefly outside the gate. But I think it was directly right outside the gate. Because I thought well if they can't find it at the watch commanders, or it was on the roof but it would have blown off by that point. I did kind of like look around the area to see if I had seen the deck. No I don't think I did come back to HQ to look for it. Honestly I can't remember that part. I specifically remember calling Sgt Cahill and saying to him, "Sarge, I lost the deck. What do you want me to do?"

Det. Albrecht: I'm just going to hypothetically put it out there. If I were to go look at the AVL and it doesn't show that exact route. Or should it? It will?

Off. Moncrief: Yeah. It should. Because I...like I said, I don't...I'm...I'm...I'm thinking of the interaction itself. I'm not thinking of the route that we went. I mean I go the same route all the time. Like I said with the exception of trying to find out if I had lost the deck out somewhere in the general vicinity of the jail. But other than that, that's it.

Det. Albrecht: So you came out the gate and you stopped right at the box.

Off. Moncrief: Yeah.

Det. Albrecht: You looked right around there.

Off. Moncrief: Yeah. Right around there.

Det. Albrecht: Did you get out of the car and look around?

Off. Moncrief: Yeah I got out of the car.

Det. Albrecht: That part is weird because, why would you think it would blow out there when you weren't even traveling on a freeway?

Off. Moncrief: I just wanted to make sure that I had not lost it anywhere. To be honest with you. Like I said. I mean I was within. I was within still eye sight of the jail. I didn't check the backseat. I had the door open when I was taking her information. I never even searched her, or nothing like that. That was all done by jail. I did not do anything like that.

Det. Albrecht: You didn't search her before you put her in your car?

Off. Moncrief: No, I didn't. Like I said that was done by jail. I mean they gave me all her property and everything. To be honest with you I don't search females. I don't. I don't even do the whole bladed. You know I'm a defensive tactics instructor so I know the whole bladed and everything I either tell them when I get to Colinas she has not been searched. Or I ask somebody in the sally port to do it. But I didn't have to ask them in the sally port. Most of our conversation was within Border Patrol. But yeah that really all I can tell you that I remember.

Sgt Holden: What date was this? Do you remember what date was this?

Off. Moncrief: Early February. A year ago.

Sgt Holden: 2013?

Off. Moncrief: Yes, A year ago.

Sgt Holden: I'm sorry. I'm confused. Why do you think there is an issue with this voicemail this lady left you?

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Off. Moncrief: Because I hadn't heard anything in a year and she is basically saying can you get...I'm in some trouble.

Sgt Holden: Well she's basically calling you late from which what you offered her then, right?

Off. Moncrief: I guess. But like I said, there was no "This is what I got. I have some information for you this is what I got". There was nothing like that. It was I'm in trouble and I need some help.

Sgt Holden: You don't think that I want to get with you and I need your help. You said something like that. You don't think that could have been us now working this deal that you offered me back then?

Off. Moncrief: Yeah it's possible.

Sgt Holden: Oh.

Off. Moncrief: It's possible

Det. Albrecht I'm just still not getting the flirtation here

Off. Moncrief: Yeah its 100% possible

Det. Albrecht Because you said that night there was no flirtation

Off. Moncrief:No. Its 100% possible yes. That is a 100% possible.

Sgt Holden: Did anything inappropriate occur between you and a.. [REDACTED]? Is the last name [REDACTED]? During your entire contact that night?

Off. Moncrief: No.

Sgt Holden: Okay, Did you make any out of the ordinary stops while you were transporting her to headquarters?

Off. Moncrief: No

Sgt Holden: From Headquarters to Los Colinas?

Off. Moncrief: No

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Sgt Holden: From Los Colinas back to Southern Division?

Off. Moncrief: No

Sgt Holden: Were ever in the backseat of the car?

Off. Moncrief: No.

Sgt Holden: No?

Off. Moncrief: No.

Sgt Holden: Okay. Was she ever unhandcuffed?

Off. Moncrief: (pause) Yes.

Sgt. Holden: When was she unhandcuffed?

Off. Moncrief: When she actually ..yeah...and I told Sgt Riddle that and Sgt Riddle was like....if you don't mention that you know....because that was the one violation of police policy that I know I violated.

Sgt Holden: You know, where not IA.

Off. Moncrief: I know. But

Det. Albrecht But your safety. So when was she unhandcuffed?

Off. Moncrief: Umm...because she was being cooperative. Ahh...she was unhandcuffed from...umm...too...you know what, I need a break.

Off. Moncrief stands up and walks out of the interview room. He turns left and walks towards the front office door. Just before reaching the door, he collapses onto his knees on the floor. He falls face forward into the seat of a waiting room chair. He appears to start to hyperventilate. He is mumbling that his career is over. He is sweating and shaking. Believing that he may be in medical distress, I attempted to remove his sidearm from its holster. Moncrief stated he was fine and turned himself around and sat in a lobby chair.

The remaining portion of our discussion with officer Moncrief occurs in the lobby of the Sex Crimes unit. Moncrief was sweating and had a flushed, nervous appearance. We had him sit in

a chair. He was reminded that he could end the interview however he continued to speak with Sgt. Holden and myself. Moncrief's statements become erratic and spontaneous at times.

Paraphrasing, the following represents Moncrief's statement as well as his responses to my questions:

I told Sgt Riddle that I did. And I did... I unhandcuffed her when we went from headquarters to Los Colinas. I did unhandcuff and she was in the back unhandcuffed. I told him that it was a violation I know. But I did unhandcuff her.

I was losing blood in my head. I got light headed.

You can ask Sgt. Riddle yourself. I seriously said. When I told him about it I said the two things I know is for a fact...one that I probably should have handed her over *(to Gangs)*. And two was that I did unhandcuff her on the way there. And he said you don't have to mention that.

So help me God, I will take a lie detector or a polygraph, I did tell Sgt. Riddle that she was unhandcuffed. But he is not the one on the hot seat.

We pulled out of the parking lot and I took a left out of the parking lot. The one that takes you to all the way 94. As soon as we got a couple blocks away that's when I said, "Okay, you're cooperative. Because I wanted her to share more information, I did unhandcuff her. But, But no inappropriate comments were ever made, nothing...nothing like that at all. By either of us. By either of us. Other than like I said she was talking about her girlfriend.

I went down a side street when I got to Colinas to put her cuffs back on. I think I just went down the one street. I did go back to where I unhandcuffed her to look for the deck. I mean when I handcuffed.

I never tried to deny that. I tried not touching on it with you because I thought that was best.

Yes, I text her and said, I'm sorry but I think you have the wrong number. But I did not call her. I did not call her at all.

And you know...umm... it's so funny. I can't believe this. See and the reason...the reason that she...that I...ahh man...I knew it...Why didn't I just...I...mmmm...mmmm. She is just...she is frickin playing me. Because she is...Im sure that's probably what's she is saying or whatever. What's she going to say. But...you know in all honesty...I wanted to give the benefit of the doubt that she is not going to be making up anything. I will say this. This is 100% true and I will take poly graph for this as well. When I was talking to her

about the gang related stuff. We were talking on the way there. She started breathing heavy. And I was like what are you doing and I went back there and she said, "I've never masturbated in the back seat of the police car." I couldn't see. I didn't stop the car. That was when we were in the freeway.

The only inappropriate thing was that entire thing. That's it. That's what happened. Obviously she has said something. I'm not dumb. I'm just not going to sit here and say she was masturbating in the back of my police car. Obviously I didn't report it. It should have been reported. I should have reported back then.

I don't know if she was pretending to masturbate or what. Like I said, I will take a polygraph or whatever. I'm being 100% honest. I don't know if you believe me or not. It was inappropriate and all, but I never touched her and she never touched me.

(End of statement)

At the end of the interview, Sgt. Holden offered to call someone for Moncrief. Moncrief denied his request and stood up from the chair. He then reached for his bullet proof vest and remaining equipment (i.e. radio, etc.) He opened the front door of the office himself to leave and began to leave. He was then approached by Lt. Kaye of the Sex Crimes Unit. Lt. Kaye introduced himself to Moncrief, and advised that he needed to remove him of his firearms. At this point, Sgt. Holden and I left the room.

I reviewed Moncrief written arrest report of [REDACTED] and he did not write about her inappropriate behavior in his vehicle (masturbation) nor did he write about any "gang" information she may have provided, including her aka [REDACTED] that he stated she told him. He also did not write about losing the original declaration and needing to write a new one at Los Colinas.

On **February 26th, 2014** I accompanied Sgt. Holden, Criminalist Brian Lew #8228 and Criminalist Dorrie Savage to Northeastern Division and oversaw the forensic processing of vehicle #6947. Lew processed the vehicle and Savage photographed. See attached reports.

On **February 26th, 2014** I faxed a letter to Verizon Wireless, requesting all account information for [REDACTED] and [REDACTED] be preserved for 90 days. I also faxed a letter to Sprint requesting all account information for [REDACTED] and [REDACTED] be preserved for 90 days.

On **March 7th, 2014** The evidence collected from the forensic processing of vehicle #6947 was released to the San Diego Sheriff's Dept forensic laboratory and Criminalist Monica Ammann was assigned to process it. See Ammann's report attached.

STATEMENT OF SGT STEVE RIDDLE #4311 (WITNESS):

On **March 21, 2014** Sgt Riddle #4311 arrived in my office to show me his San Diego Police Department issued cell phone. On it were text messages between himself and Officer Moncrief. Sgt. Riddle allowed me to take his phone and download the text messaging.

I asked Det. Drilling #5430 to conduct the downloading of the phone. After downloading the text messaging, Det Drilling returned both the phone and a printout of texts to me. I then returned the phone to Sgt. Riddle. The text messaging between Sgt. Riddle and Officer Moncrief went back to January of 2014. I noticed some texts on February 19, 2014. They were:

02/19/14 @ 12:29:32 hrs. (From Moncrief)

Are u available for a call.

02/19/14 @ 01:50:53 hrs. (From Moncrief)

Sarge anything you can find out just text me or leave me a voice mail. I don't want my wife to feel as freaked out as I do.

02/19/14 @ 03:35:15 hrs. (From Moncrief)

Also I know your busy but do you have Jonathan Weise's number. I have never had to go to the 7th floor and just in case it goes how I'm fearing it might I want to have someone I trust with me.

02/19/14 @ 07:40:40 hrs. (From Moncrief)

I haven't slept at all.

02/19/14 @ 11:22:44 hrs. (From Riddle)

*U are fine. This is nothing to stress over. There was nothing but honorable meaning behind your actions. You did what any Godly man would. You actually care about people and even though you love to lock up the bad ones you want to see the good/potential in people. I have had the opportunity to get a small handful of people out of the gang and drug life. It never would have happened if I hadn't reached out with some compassion. You did a good thing. Get some sleep. I will talk with you some more tomorrow at work. God Bless. :)
Zzzzzzzzzzz*

Sgt. Riddle also allowed me to make a recording of a voice message left on his cell phone from Officer Moncrief. I played the recorded call and copied it onto my digital recorder. I also made a CD of the recording and impounded it.

Call to place on 02/19/14 @ 0923 hrs.

Sarge hey it's Don...Ummm, Hey I ahh...that, that secondary number that I used to have...well I mean I still have it...I just ...the phone got wet so I don't use it. I haven't used it for about a month. But...umm, I actually called it from my regular phone and just to check the voice mail to see if I received any weird calls from there. Because that's the number I thought I had given her when I, back you know a year ago. And there was a message from her. And there was also a message from a female detective. Trying to find out who the call was from... like who belongs to that cell phone. So...or who's the owner. Uhhmm...I fricken was because I was trying to figure out the little buttons on my regular phone on how to...on how to ahh re-play it to write down the number I ended up deleting it. So I have no idea who it is. So I don't know if this is a good thing or a bad thing. But II don't...I've never been in this situation. I'm just freaking myself out I think. I think I'm making it worse but....I contacted ahh...Chief Vasquez because he... you know we have a relationship. He was my Captian you know and everything. I trust him. So I told him what I ...what I received, what I was thinking. What I was kind of worried about. And uhhmm...you know...and now I got a call back from a Sgt Holden at sex crimes. And I'm like...sex crimes. That's, that's weird to me, so. I don't know...I thought maybe I would get a call back from somebody from I.A., but its sex crimes. So I'm like really kind of weirded out by this whole thing. Uhhmm... I ...he wants me to try and go up there. I told him I'm working right now but I was going to call a sergeant and see if I could get a relief. But I don't know what to do. To be honest with you. I don't know if this is a good move or a bad move. I don't know if I should be bringing a POA rep. I don't know why...this is weird. I don't know why I would be going to sex crimes ...to talk. So...uhmm...can you please call me back. I don't want to make a decision until I talk to you. Witch I should have just done in the first place and listen to you tell me not to worry about it. But just something bothers me about it. But you're probably right. It probably just has to do with everything that's going on with you know the dept but it's still something bothered me. Alright thanks Sarge.

(Call ends)

While the phone was being downloaded, Sgt Riddle told me that he has been thinking a lot about his telephone interview with Sgt. Mike Holden. He said that there is one part that still bothers him. He stated that Mike (Sgt. Holden) had asked him if he advised Moncrief to not tell us during the interview with him about him (Moncrief) unhandcuffing his female prisoner. Sgt. Riddle told me that he still can't remember doing that. He said he was thinking that if he did speak about the unhandcuffing with Moncrief, he would never have advised him to omit or lie

about something. He stated if it had been brought up, he would have probably said something more like, "It's no biggie." Or, "That's not something to worry about." He told me that he would have never told anyone working for him to leave something out of an interview. He knew he would never do that. Sgt Riddle stated but he just couldn't remember anything about that during his conversation with Moncrief.

I asked Sgt. Riddle about whether he has observed if Officer Moncrief has a bad sense of direction when he is driving. Sgt. Riddle told me not that he knew of. He stated he hasn't ever noticed Moncrief having any issues with his driving directions.

(End of statement)

During the course of this investigation, Sgt. Holden requested Supervising Management Analyst-Karen Goodman #8679 to run a computer check on Officer Moncrief's computer work in regards to [REDACTED] Goodman turned the results over to me for this investigation. I reviewed the results and found that Officer Moncrief checked [REDACTED] jail and/or bail status 7 times from the time he booked her into jail and when she was released. He also checked her for warrants 2 times while she was in custody. (See printout for details)

STATEMENT OF CHIEF REGINALD BIBBINS (BORDER PATROL):

During the course of this investigation I spoke to Chief R. Bibbins #0621 of the U.S. Border Patrol. Chief Bibbins confirmed that [REDACTED] was held in his agencies custody on [REDACTED] [REDACTED] He said his log shows that she was transferred to our agency that night. Chief Bibbins also explained that some of the interview rooms have the ability to record conversations. However it would require the interviewing officer to set it up. He also stated that with it being a almost a year to the exact date that there would not be a saved copy held for that long.

(End of statement)

During the course of this investigation Sgt. Holden instructed me to review some AVL videos of Moncrief's transporting female prisoners from the field to Headquarters for processing, and then on to Los Colinas. He gave me 5 AVL DVD's to watch.

<u>DATE</u>	<u>PRISONER</u>	<u>UNIT</u>	<u>LOCATION ARRESTED</u>
[REDACTED]	[REDACTED]	681Q	Genesse/Osler

In viewing this AVL of Moncrief's patrol vehicle I observed that he turned away from the closest highway (163S) which was approximate less than 1 mile from his location and drove in the opposite direction, West on Genesse Ave to Balboa Ave. He passes Balboa and then turns around near Mt. Etna and the drives North on Balboa to South 805. He takes South 805 to South

163 into downtown. From there he drives the most direct route to Headquarters.

As of **March 28th**, 2014 I have been unable to locate [REDACTED] in order interview her.

<u>DATE</u>	<u>PRISONER</u>	<u>UNIT</u>	<u>LOCATION ARRESTED</u>
[REDACTED]	[REDACTED]	721J1	[REDACTED]

In viewing this AVL, I observed that Moncrief drove from Southern Division using I-5 North. He passes the Pershing Exit (most direct route) and continues on I-5 N/B to the India St. exit. He drives North on India to West on Vine. From West on Vine to South Kettner. South Kettner to East on Sassafras. From East on Sassafras to North on India Street again. From North on India to West on Washington. From Washington he turns South on Hancock to South bound I-5. He then drives to the 10th Street off ramp and to headquarters at 1401 Broadway. This was over six miles out off the most direct route to headquarters.

On **February 25th**, 2014 Sgt. Holden and I traveled to Chino Women's State Prison to interview [REDACTED]. [REDACTED] agreed to meet with us. The interview was audio recorded and impounded. During our interview, [REDACTED] said the only thing she recalls out of the ordinary with her transport with Officer Moncrief was when he was placing her into the backseat of his patrol car, he bumped her chest area up against the car and apologized,. Then he said, "Oh well, you don't have any boobs anyway." [REDACTED] found that comment to be strange. She had no recollection of anything else being unusual during her transport.

<u>DATE</u>	<u>PRISONER</u>	<u>UNIT</u>	<u>LOCATION ARRESTED</u>
[REDACTED]	[REDACTED]	723B1	[REDACTED]

In viewing this AVL I observed Moncrief took what appeared to be the most direct route to headquarters from Southern Division. He drives I-5 North and exits onto imperial Ave. From imperial he turns North onto J Street. J street he turns West onto E street to headquarters.

I interviewed [REDACTED] over the telephone because she is currently incarcerated at Chowchilla Women's State Prison. [REDACTED] agreed to speak with me about her experience with Officer Moncrief. I attempted to record the interview; however my recorder was inoperative and failed to record properly. [REDACTED] stated that Officer Moncrief lied in his report. During her court proceeding she read a copy of the report and saw that Moncrief said he had to pull over on the freeway (I-5) in order to pepper spray her because she was attempting to kick out the back windows of the police car. [REDACTED] told me that was a lie. She did kick at the windows in the beginning of their drive, however according to [REDACTED] Moncrief stopped before they got onto 5 N/B and threatened to spray her if she didn't stop. She stated she did cooperate at that point and

he never had to pepper spray her.

I reviewed a copy of the arrest report written by Moncrief and he does write that he pepper sprayed her. However I noticed that he did not write how he administered first aid after the spraying, once he got to Headquarters. Department Policy states that an officer must assist the prisoner with flushing out their eyes with water.

I re-watched the AVL for Moncrief's transport and I did not see any indication that his vehicle pulled over on the side of Northbound I-5. I also reviewed the radio call print out and it does not show any radio broadcast by Moncrief that he advised the dispatcher he needed to pull over to the side of the freeway due to a violent 10-16 (Prisoner).

<u>DATE</u>	<u>PRISONER</u>	<u>UNIT</u>	<u>LOCATION ARRESTED</u>
██████████	██████████	724J3	1010 Outer Rd.

I reviewed this AVL of Moncrief's transport of ██████████ Moncrief drove I-5 North bound from Southern division area. His vehicle passes Imperial Ave and Pershing turn offs. It continues I-5 North bound and exits on 6th Ave. From there he turns South onto 6th Ave. From 6th Ave he turns West onto B Street. Then South onto 4th Ave. Then he turns East onto Broadway. He drives Broadway East bound until he reaches headquarters.

February 26th 2014, Sgt. Holden and I drove to Los Colinas Women's Detention Facility to interview ██████████ ██████████ was currently incarcerated. ██████████ agreed to meet with us. The interview was audio recorded and impounded. During our interview ██████████ stated she did not notice anything unusual or out of the ordinary during her transport to jail with Officer Moncrief.

<u>DATE</u>	<u>PRISONER</u>	<u>UNIT</u>	<u>LOCATION ARRESTED</u>
██████████	██████████	711J3	1500 Green Bay Street

I attempted to watch this AVL but was unable to see the entire prisoner transport. The AVL had interference and did not record properly. The vehicle appears to frequently jump all over.

On **February 26th, 2014** I spoke to ██████████ over the telephone. She agreed to speak with me. I attempted to record the interview however my recorder was inoperative and it failed to record. ██████████ stated that she was arrested on a traffic stop when she had a bench warrant. She stated that everything appeared to go normal and she didn't recall anything out of the ordinary with Moncrief transporting her.

Follow-up Investigation
SDPD
Page 32

EVIDENCE:

See attached impound list.

CONCLUSION:

Based on the above investigation I request the San Diego County District Attorney's office to review this case for potential criminal charges.

**Detective Leslie Albrecht
San Diego Police Department
Sex Crimes Unit**

Employee Main:

ID #: 6388 Prev ID #: City ID #: POST ID #: **Employee Status**
Name: MONCRIEF, DONALD V PCN #: **ACTIVE**
Command/Unit: Southern/Border Crime Suppression Team/742
Rank: Police Officer II Budgeted Pos.: Police Officer II
Org. Unit:

**Employee Detail:**[Return To Search](#)

General Information | Emergency Contacts | Roster Information | Evaluations | Name History | Languages | Awards | Supervisors | Addresses/Phone Numbers

GENERAL

A/Rank: DO 1: 1 SUN
Squad: DO 2: 2 MON
Supv ID: DO 3: 3 TUE
Call Sign: DO 4:
Work Hrs: Watch: 3
Status:
Skills:

NEXT SHIFT

Next Shift
Change Date: Next DO 1:
Next Org #: Next DO 2:
Next A/Rank: Next DO 3:
Next Squad: Next DO 4:
Next Supv ID: Next Watch:
Next Call Sign: Next Hours:

EQUIPMENT

Gun Make: Gun Model: Gun Serial#:
Special Equip: Radio #: Vehicle #:

204-085

Enter Search Parameter(s):

ID #: City ID #:
(All 6 digits)
First Name: Last Name: moncrief
Rank: Choose One

Badge Number:

Search Result(s):

Active Only ☐

Search

Clear All Search Fields

Return To Main Menu

	ID	First Name	Last Name	Command	Unit	MS	Rank	Status	OrgNumber
▶ 1	6388	DONALD	MONCRIEF	Southern	Border Crime Suppression Team	742	Police Officer II	11/11/13	

Note: Click on a search result link to proceed to next menu!

Return Count: 1

11:23 AM

2014-

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46				Outbound	2/5/2013	1:36:08	AM	2/5/2013	1:36:17	AM	9	43	636	40112	40112
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2014-087682-008

INCIDENTS	CALLING_NBR	CALLER_NBR	DIALED/DIGITS	M_R	START_DATE	START_TIME	S_AM_PM	END_DATE	END_TIME	E_AM_PM	DURATION (SEC)	NEID	REPOIL	1ST CELL	LAST CELL
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Sgt. Brett Righthouse/Sgt. Tony Lessa
San Diego Police Department
1401 Broadway
San Diego, California 92101

DONALD MONCRIEF



May 12, 2014

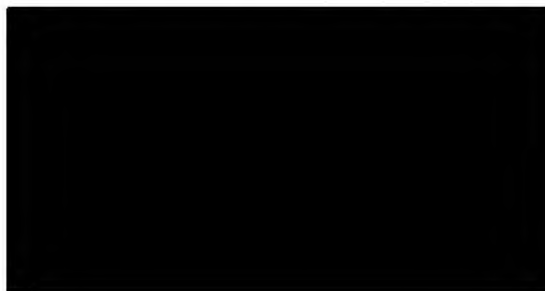
HAND DELIVERED

Shelley Zimmerman, Chief
San Diego Police Department
1401 Broadway
San Diego, California 92101

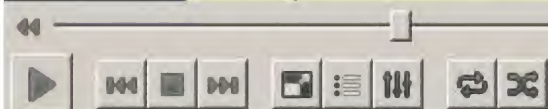
Re: Resignation

Dear Chief Zimmerman:

Please be advised that I hereby voluntarily resign from my position as a PO-II with the San Diego Police Department. My resignation should be deemed effective at the close of business today. I am resigning for personal reasons which I may share at a later date. Because this letter, the material contained herein, and my status with the Department, constitute personnel records, I remind you that they are confidential under state law until such time as I waive that confidentiality.



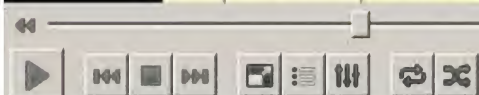
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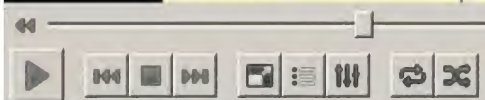
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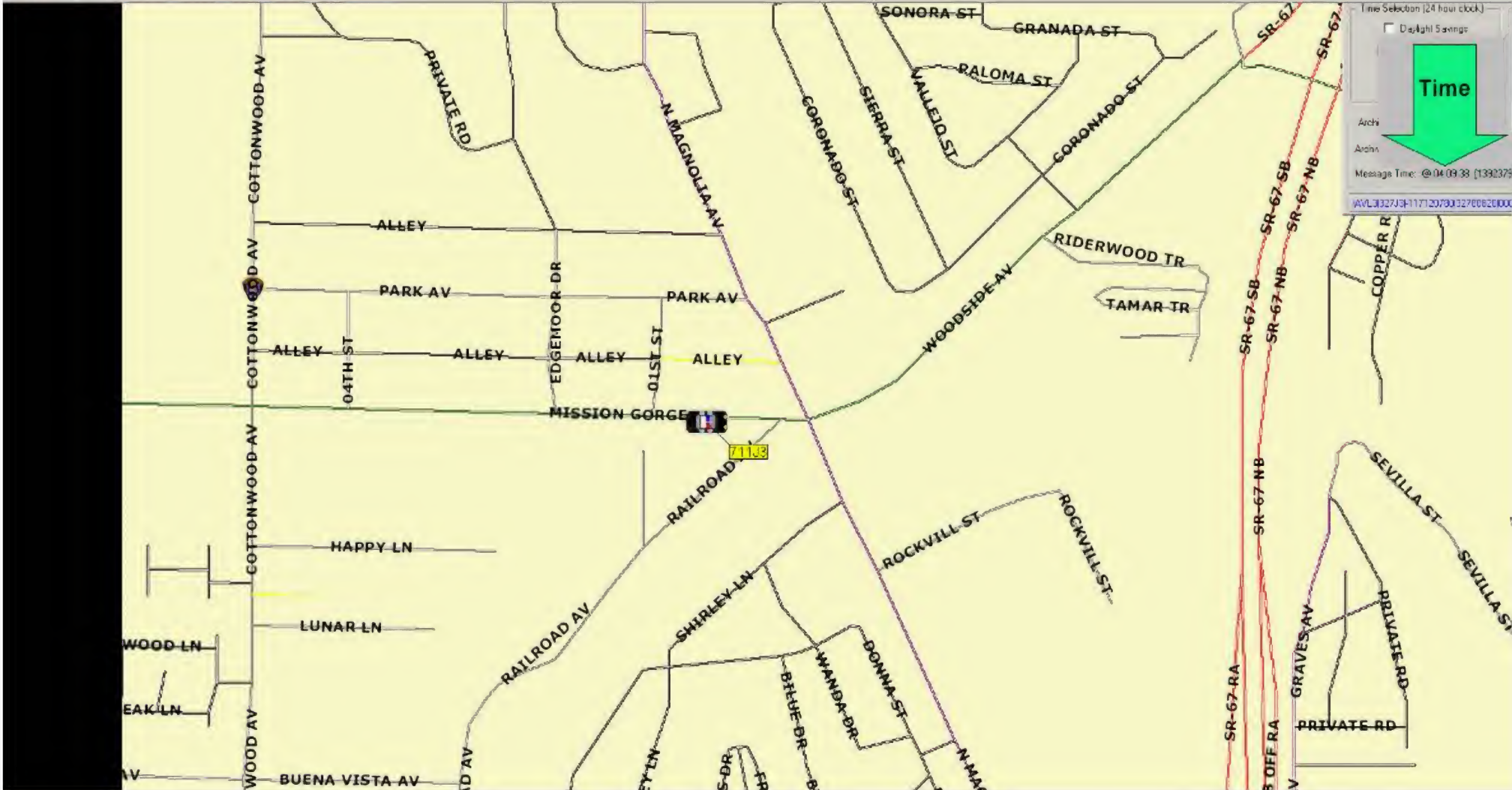


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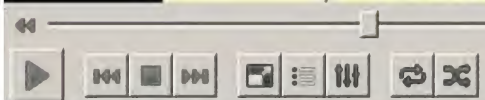
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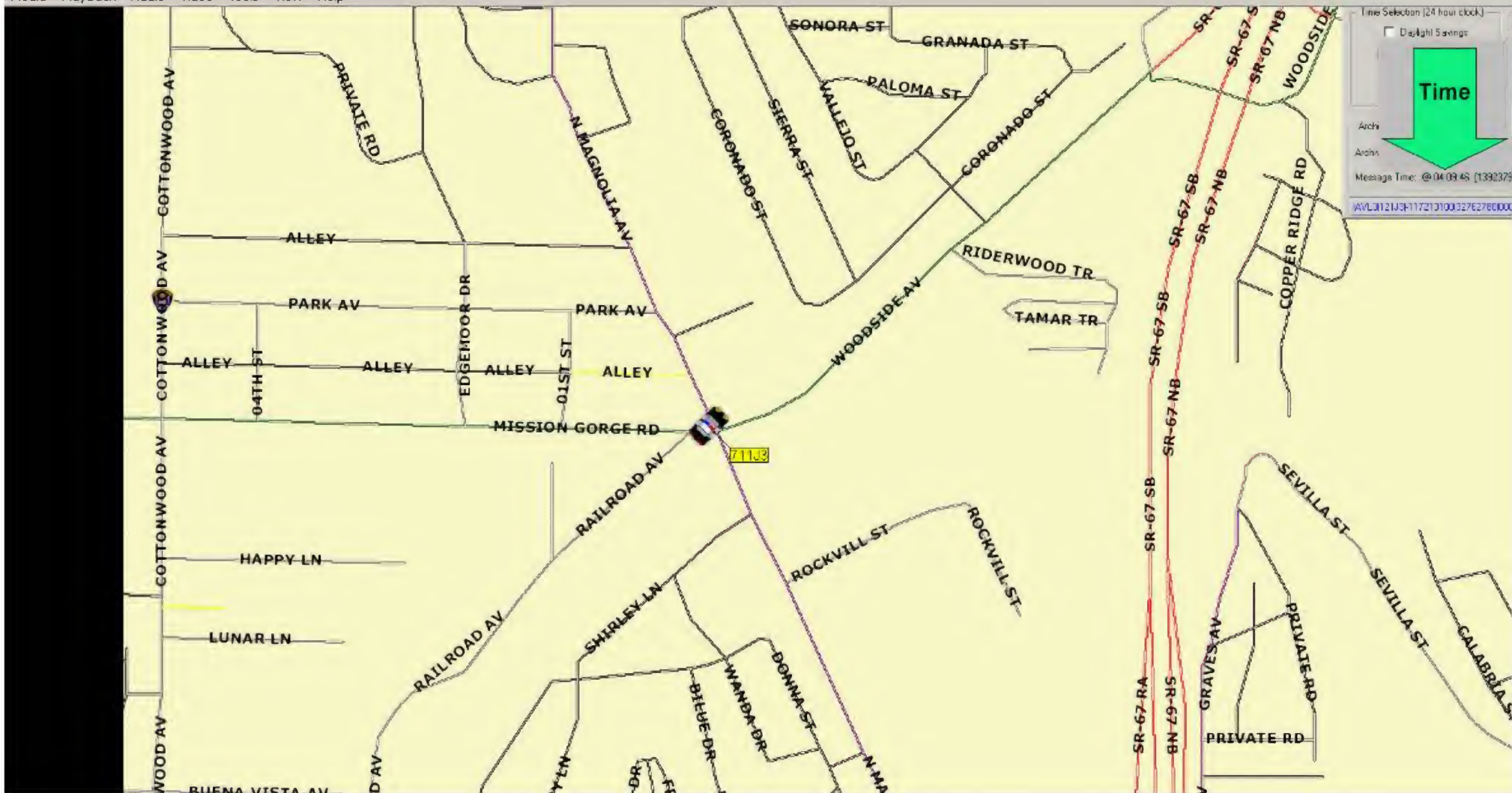
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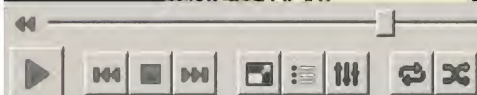
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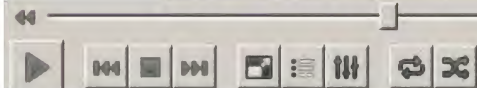
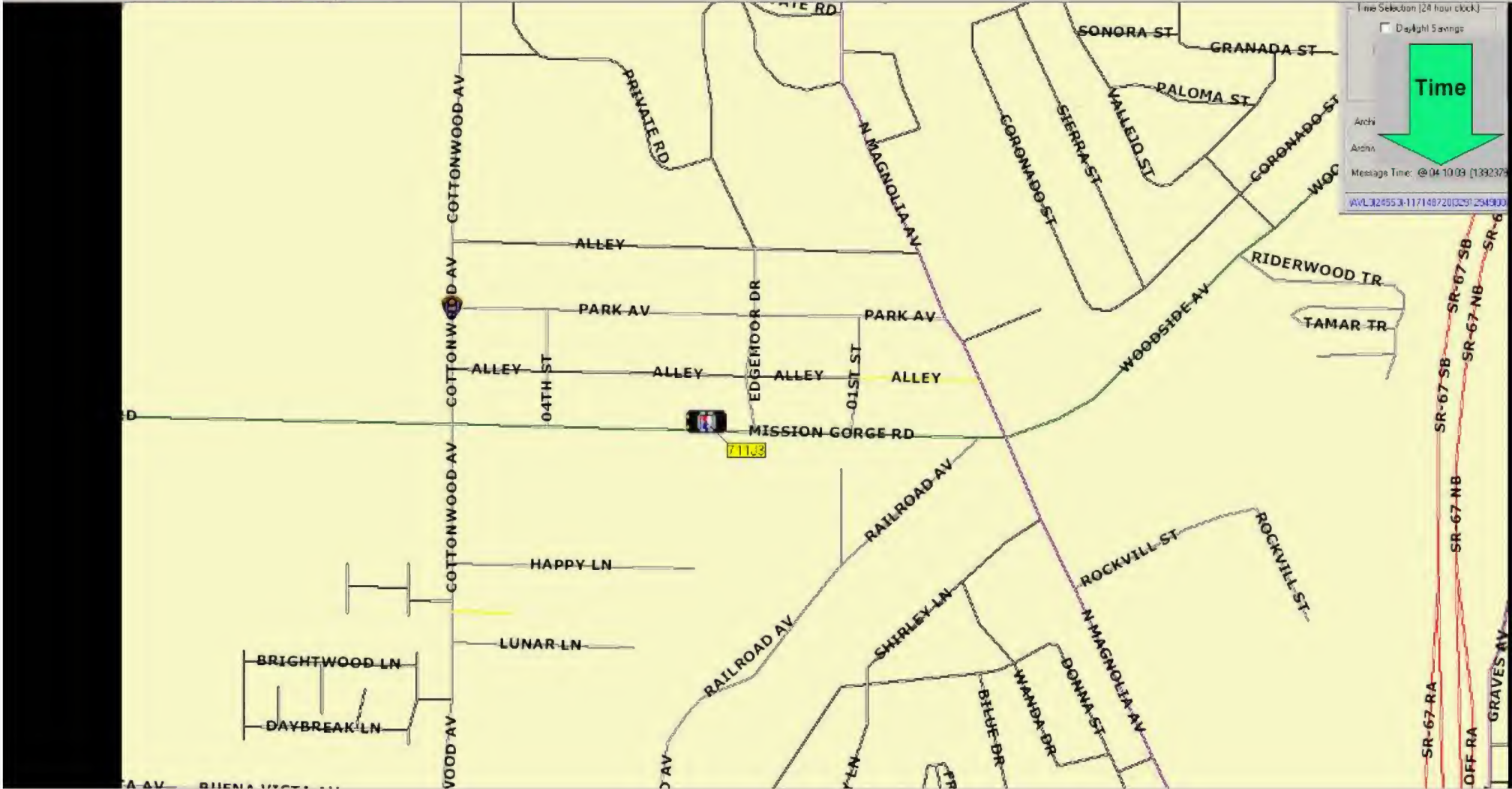


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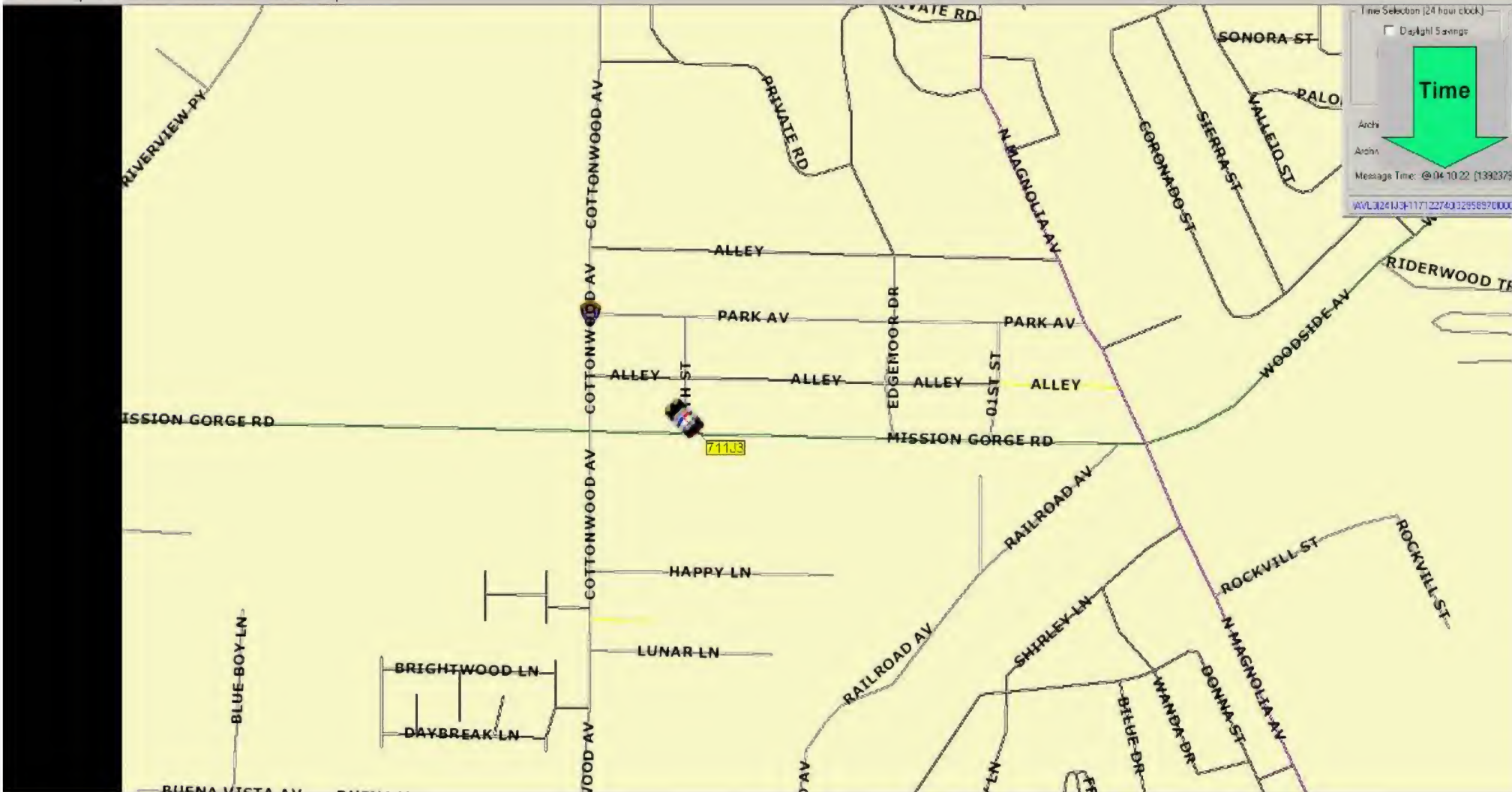
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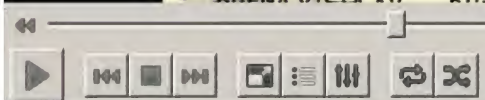
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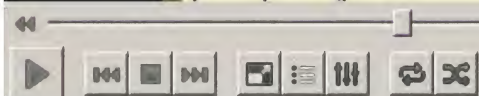
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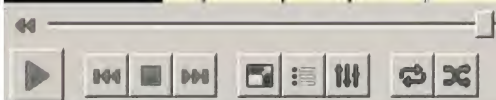


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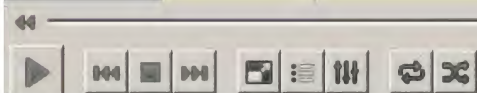
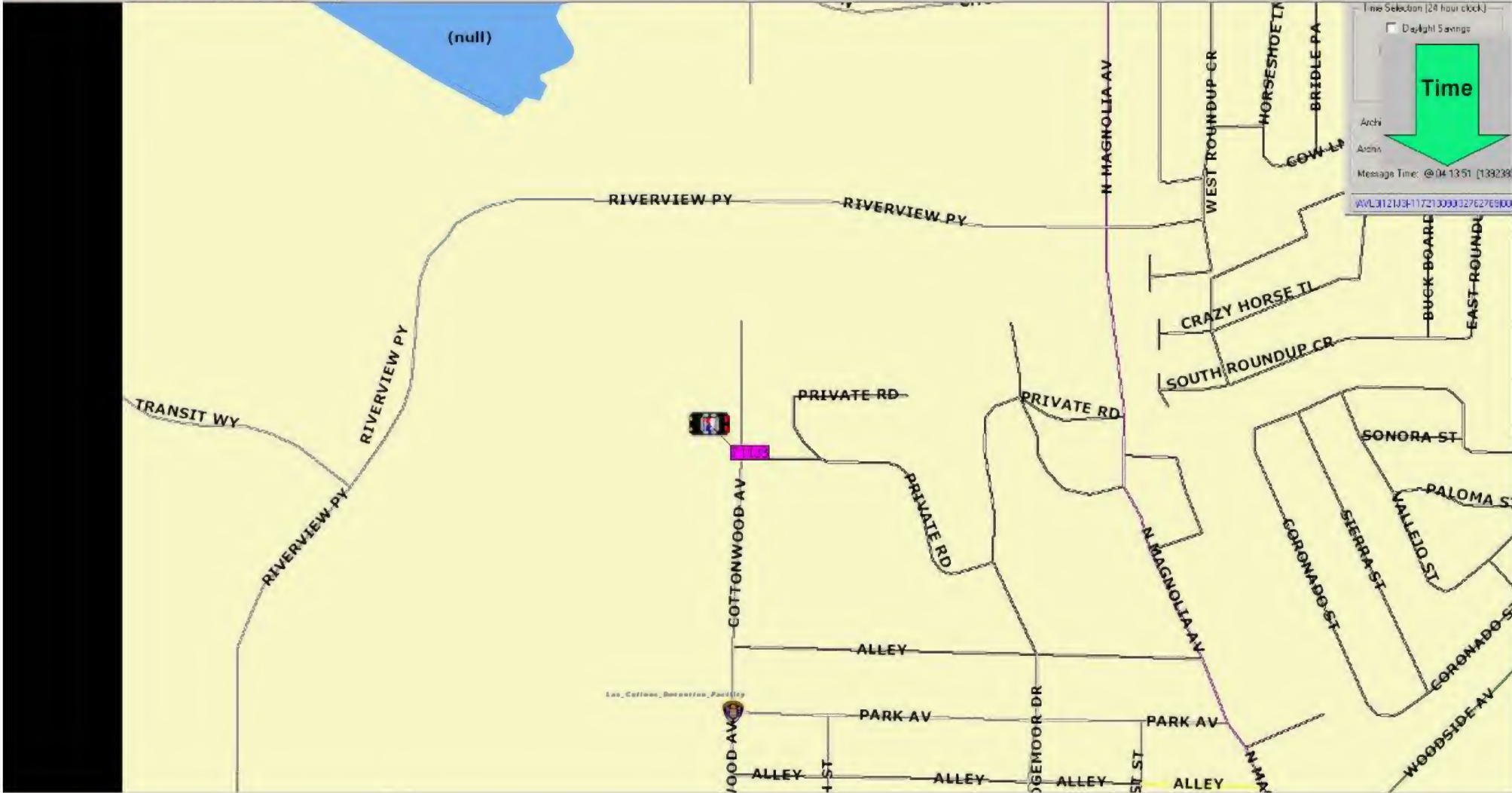




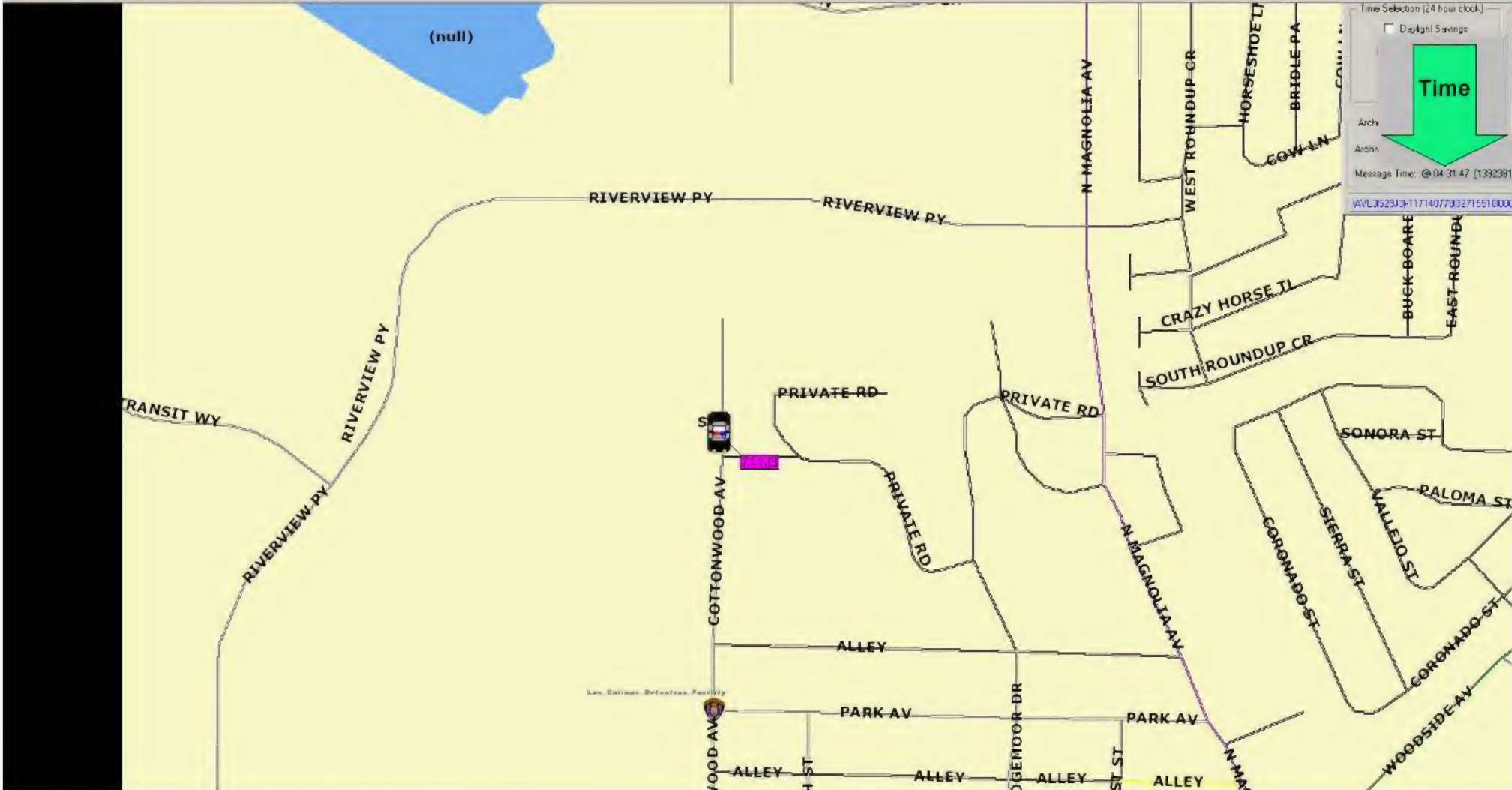
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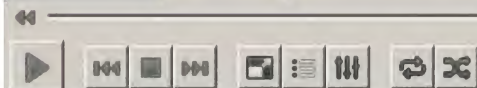
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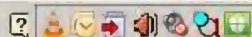


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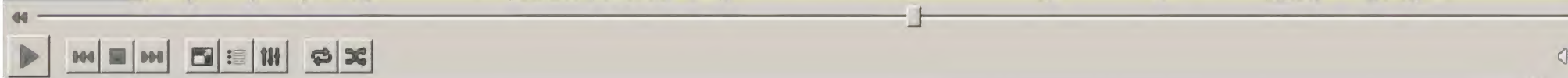
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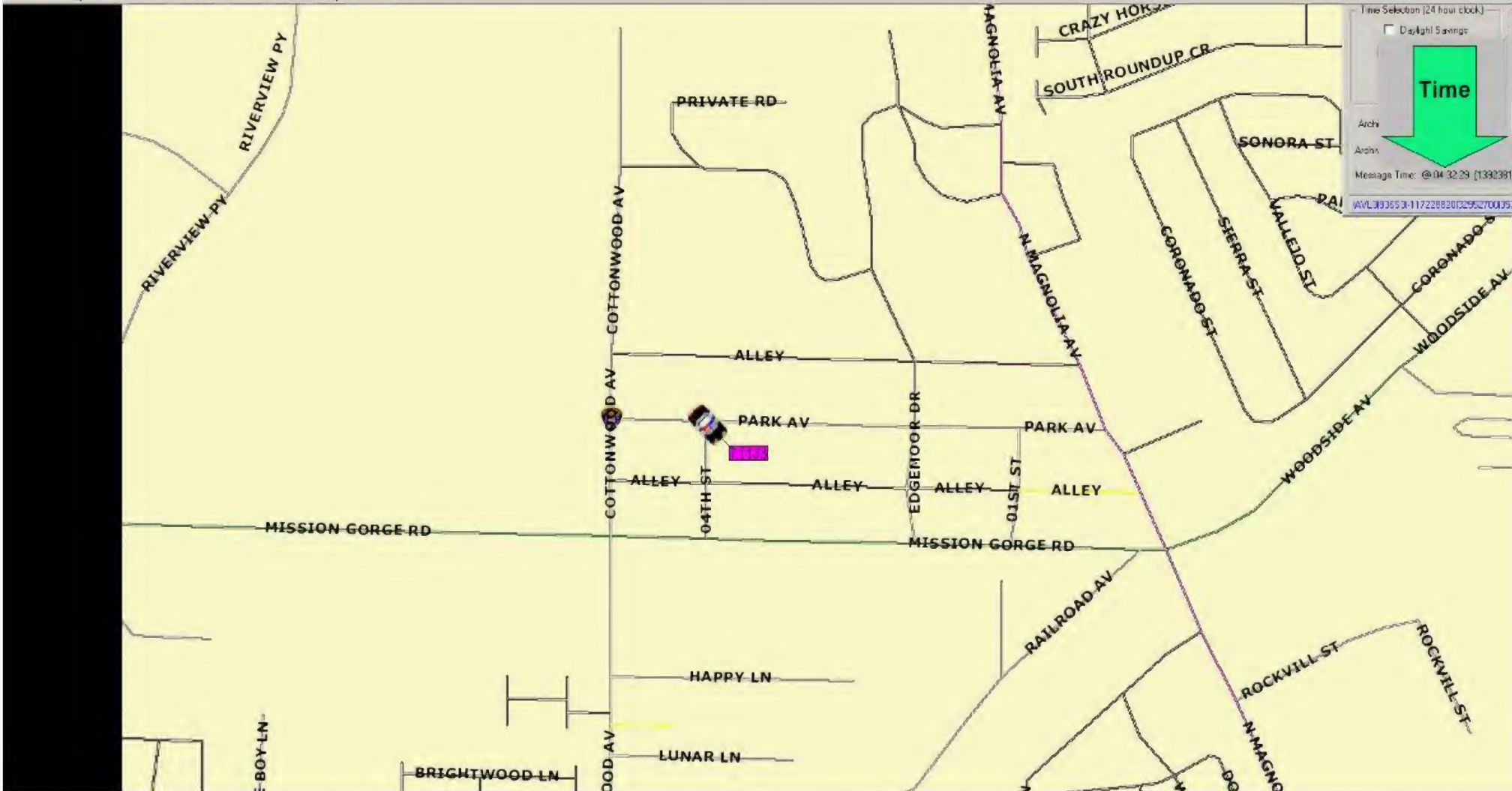
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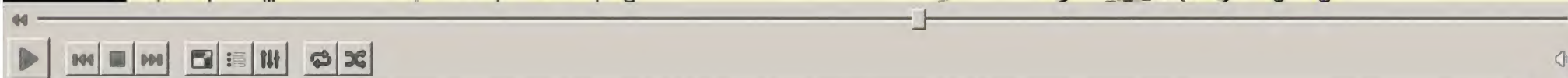
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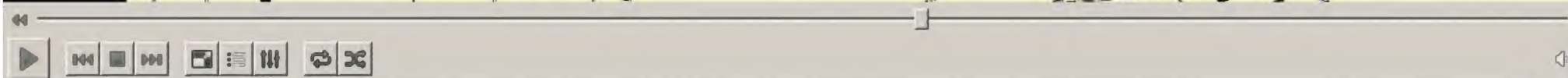
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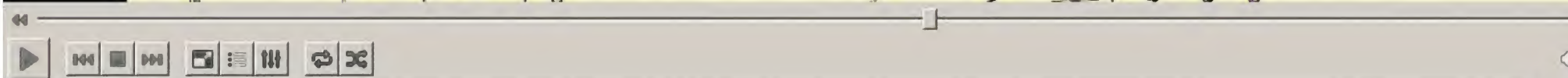
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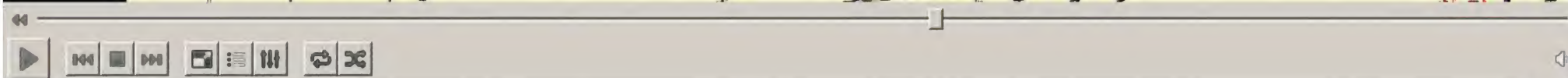
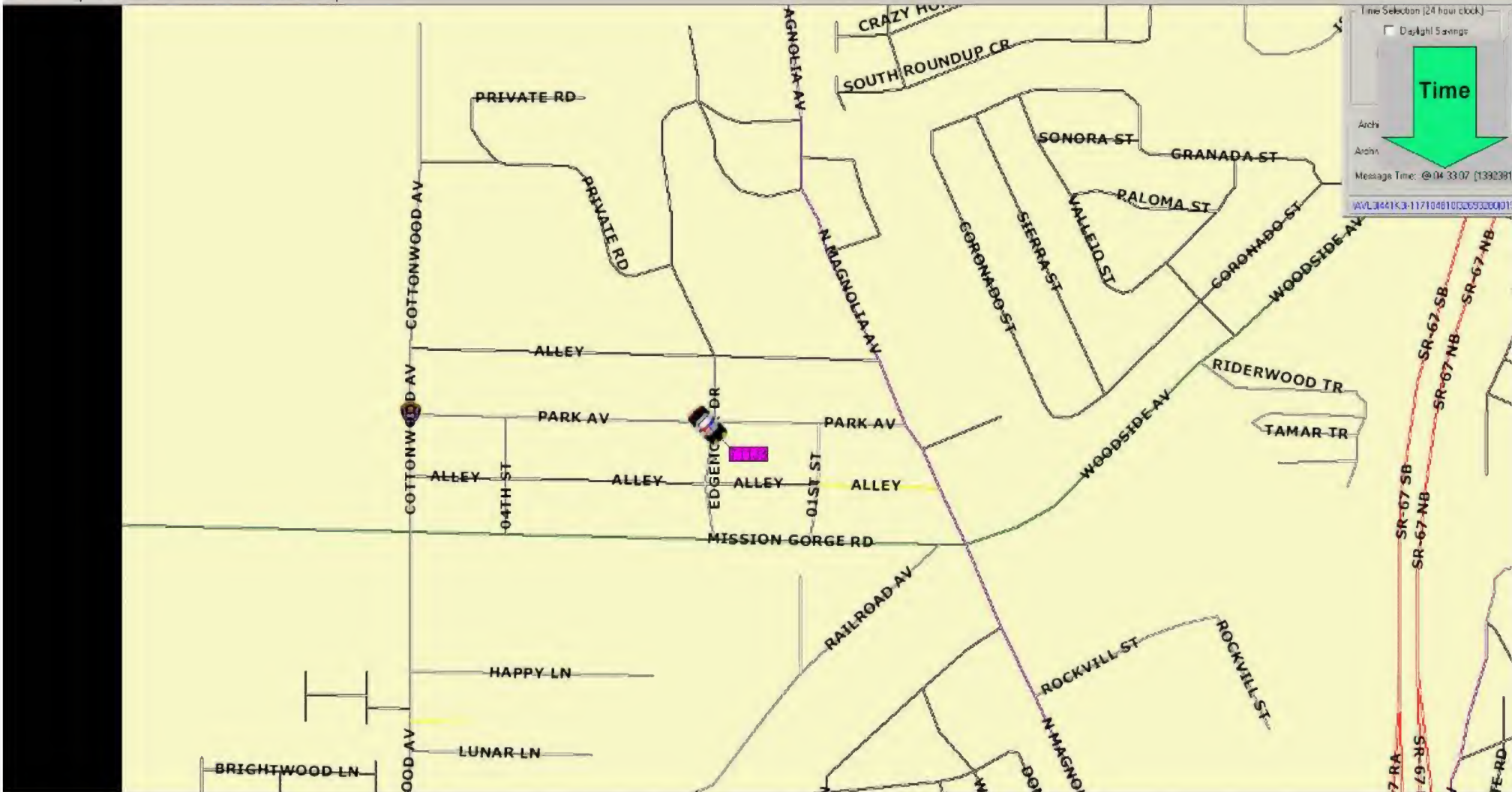
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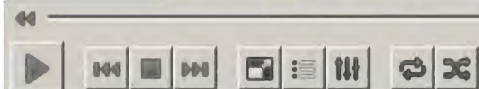
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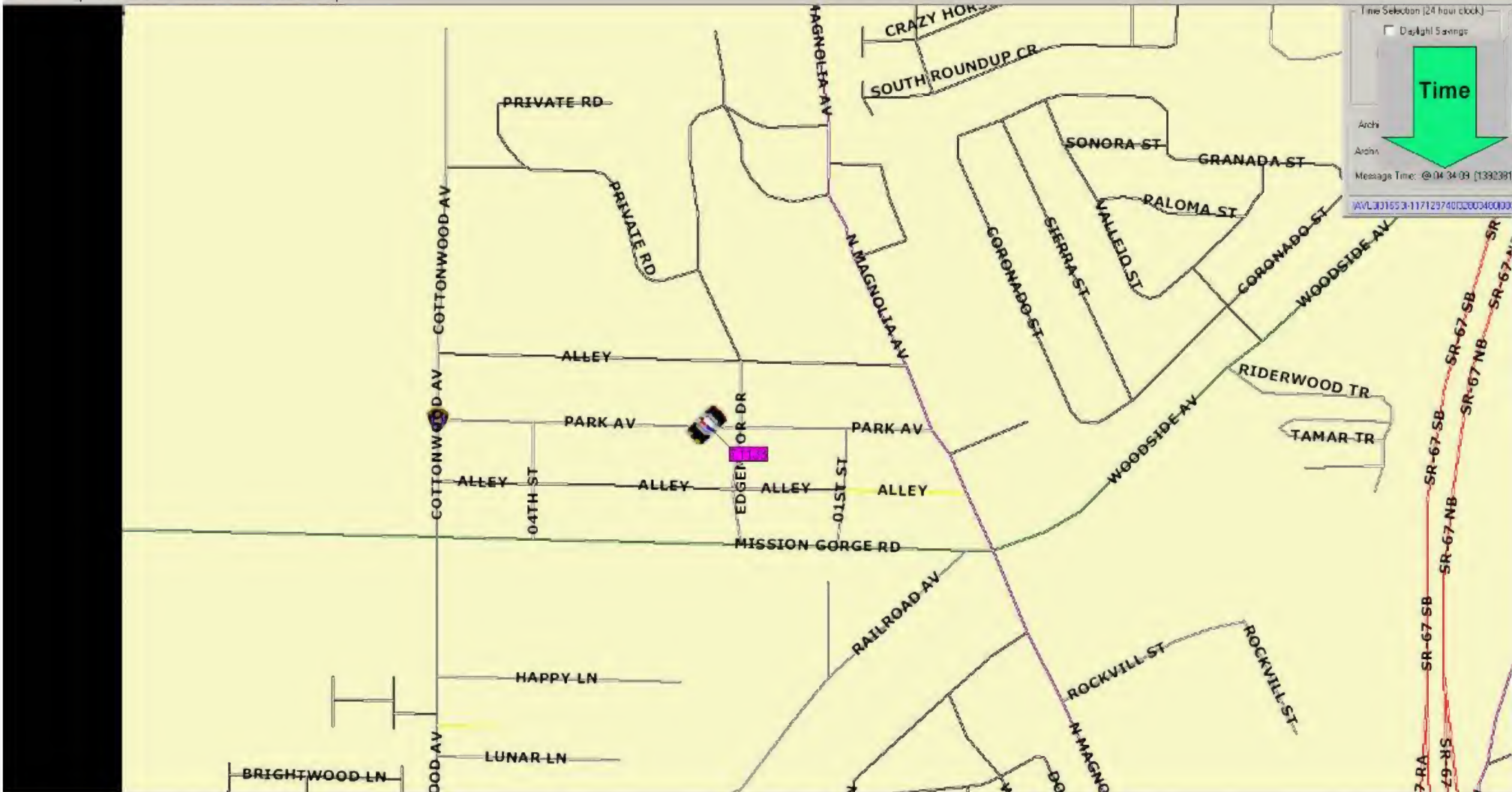


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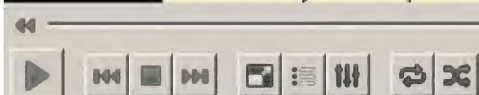


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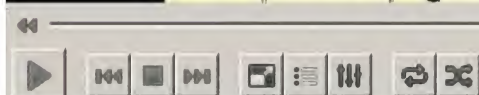


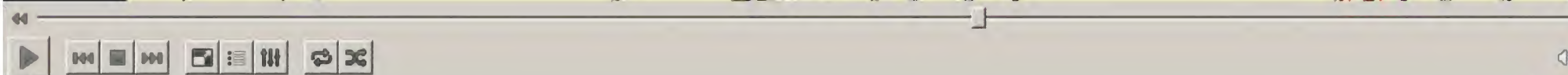
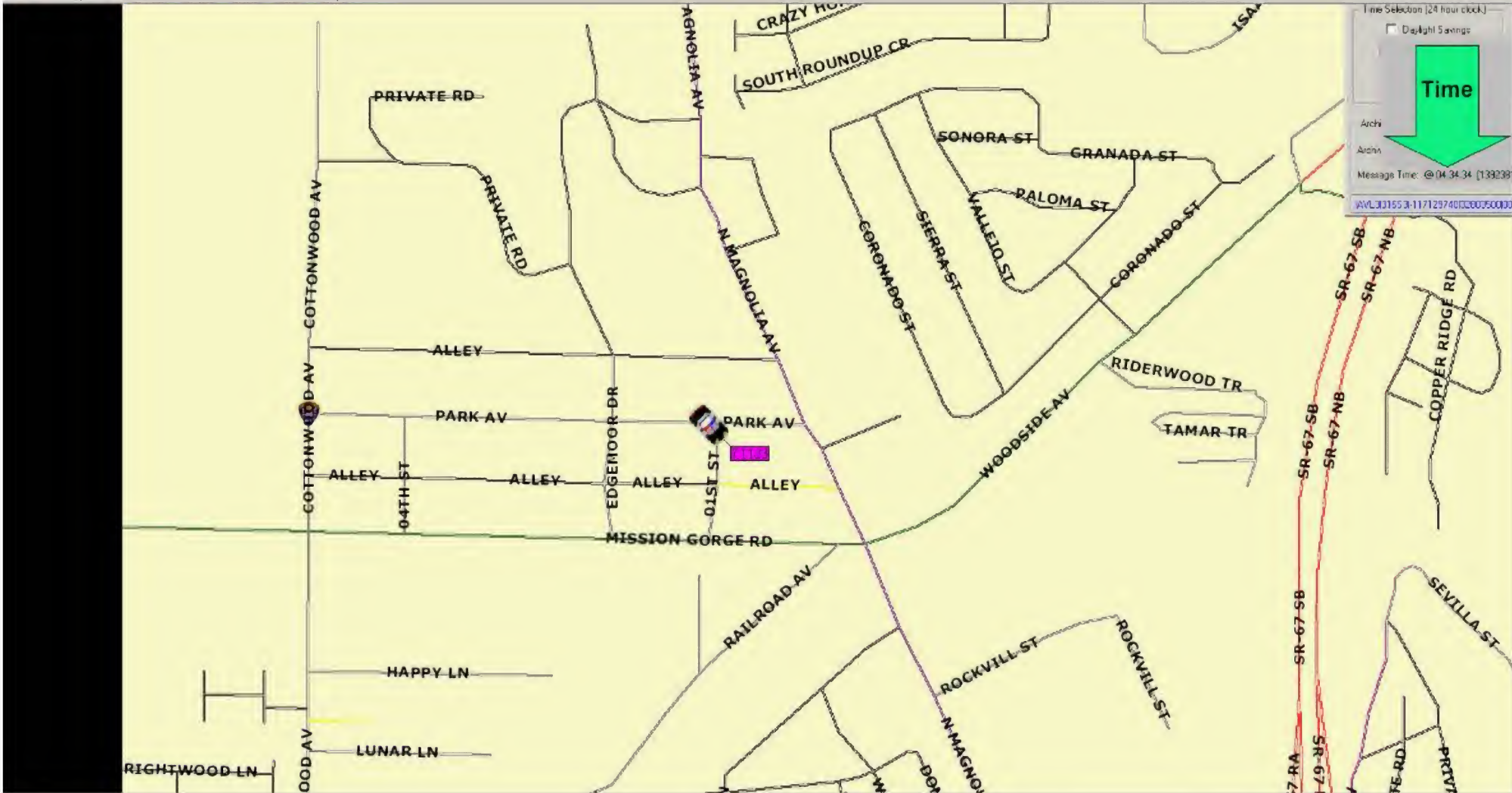


Time Selection (24 hour clock)
☐ Daylight Savings
Time
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Message Time: @ 04:34:09 (1392391...)
AVL301653-1171297403080340000



711J3 02042013 0400 0500.avi







Time Selection (24 hour clock)

☐ Daylight Savings

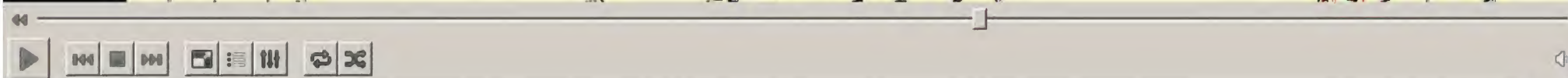
Time

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Message Time: @ 04:34:39 (1392391)

AVL3115J3H11722518902816830F35



711J3 02042013 0400 0500.avi 1.00



Time Selection (24 hour clock)

☐ Daylight Savings

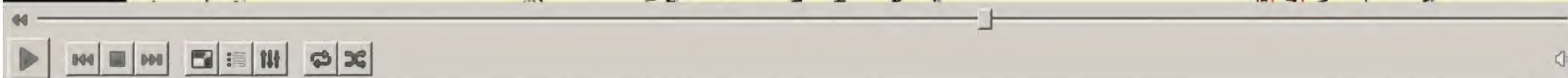
Time

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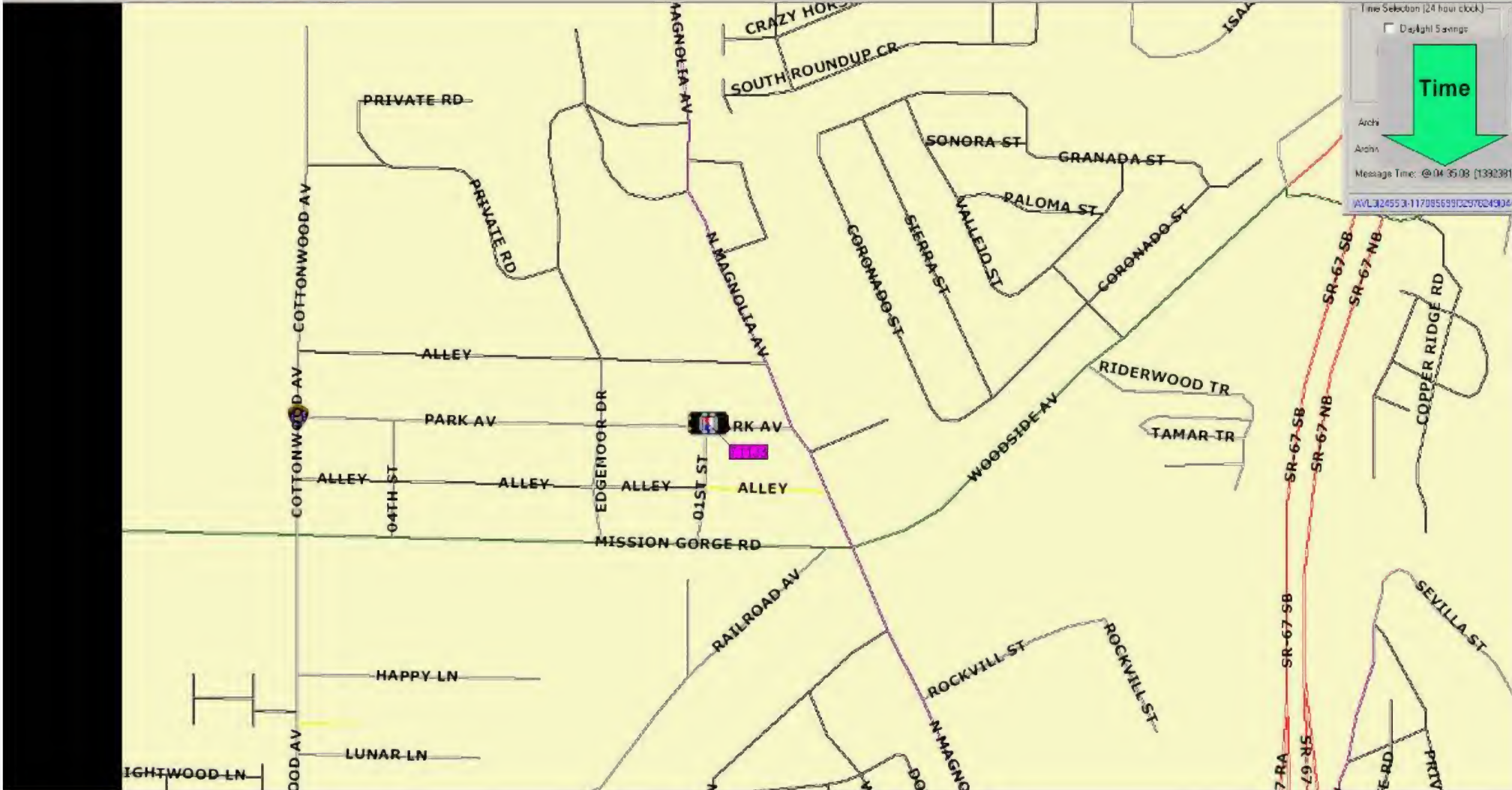
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Message Time: @ 04:34:43 (1392381)

AVL 303303-11723295932953408000



711J3 02042013 0400 0500.avi 1.00



Time Selection (24 hour clock)

☐ Daylight Savings

Time

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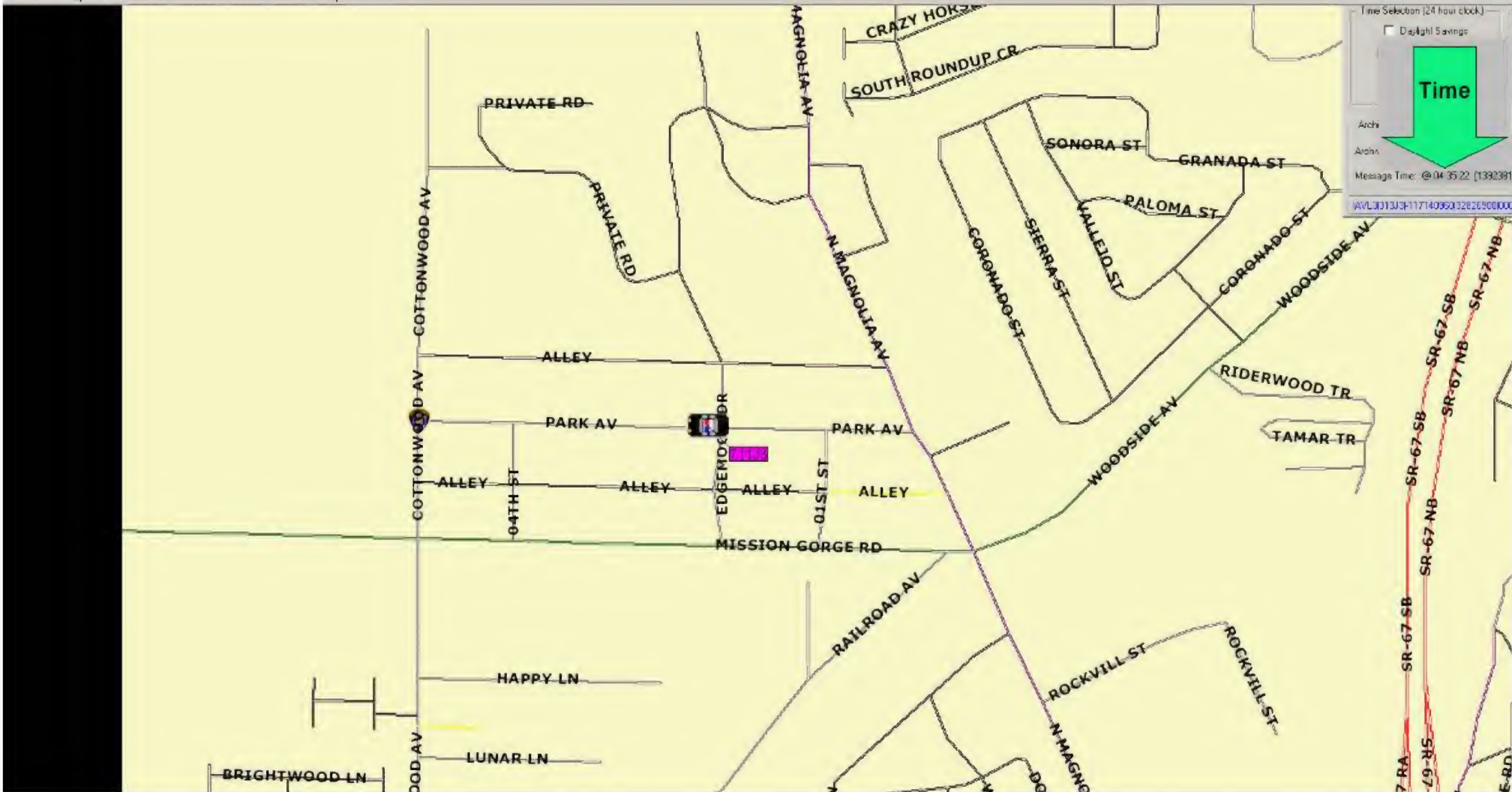
Archi

Message Time: @ 04:35:08 (1392381...)

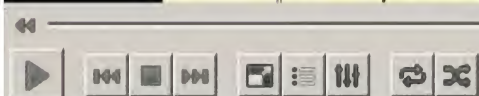
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711J3 02042013 0400 0500.avi



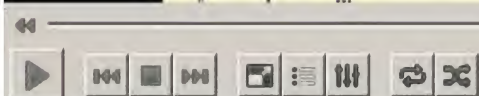
Time Selection (24 hour clock)
☐ Daylight Savings
Time
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Message Time: @ 04:35:22 (1392391...)
AVL301303-11714096032826900000



711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)
☐ Daylight Savings
Time
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Message Time: @ 04:35:46 (1392391...)
AVL332703F-11712207032764345007



711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)

☐ Daylight Savings

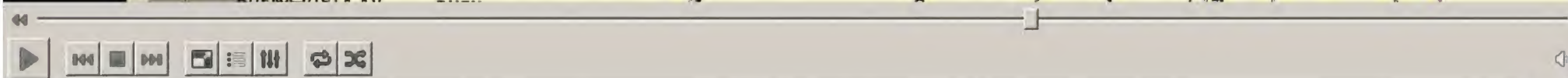
Time

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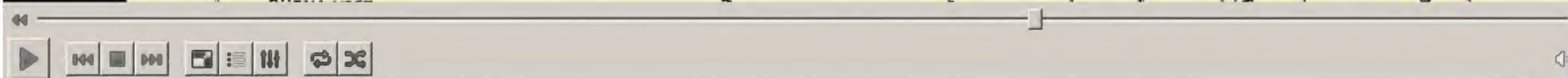
Message Time: @ 04:36:25 (1392391...)

AVL3795T3-1171267193280087000





Time Selection (24 hour clock)
☐ Daylight Savings
Time
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Archi
Message Time: @ 04:36:33 (1392391...)
AVL30143F11712934302746419000





Time Selection (24 hour clock)

☐ Daylight Savings

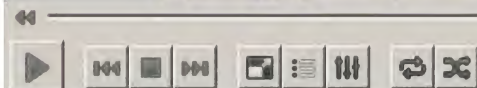
Time

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Message Time: @ 04:36:51 (1392391)

AVL324333-11715033902907390000



711J3 02042013 0400 0500.avi

1.00



Time Selection (24 hour clock)

☐ Daylight Savings



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Message Time: @ 04:40:44 (1392391)

AVL324553-117089210329775000



711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)

☐ Daylight Savings

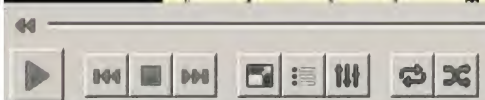
Time

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Message Time: @ 04:40:47 (1392391...)

AVL303243-11705556032816775000



711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)

☐ Daylight Savings

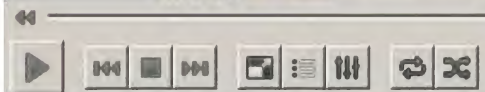
Time

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Message Time: @ 04:41:13 (1392391...)

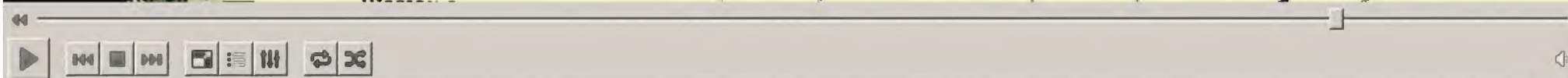
AVL3124553-1170892303297750000



711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)
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Message Time: @ 04:47:42 (1392392...)
AVL3111538-11721327032811320000





Time Selection (24 hour clock)

☐ Daylight Savings

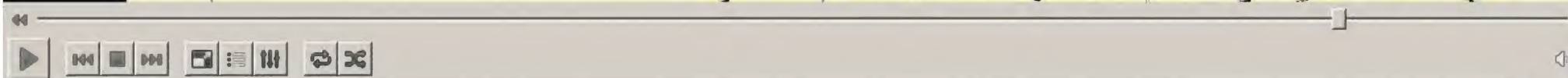
Time

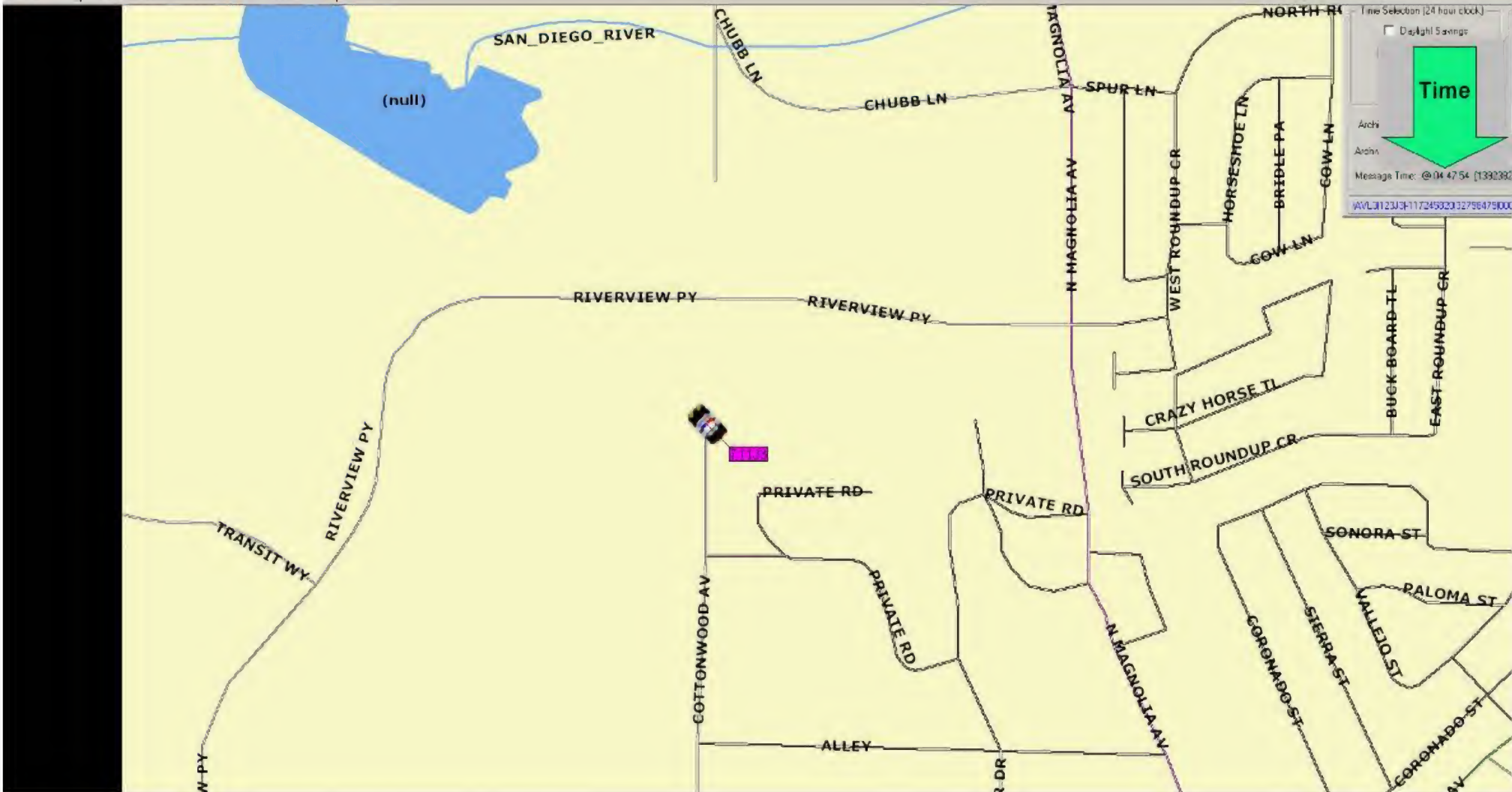
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Message Time: @ 04:47:46 (1392392...)

AVL3301653-1171257793274910000





Time Selection (24 hour clock)

☐ Daylight Savings

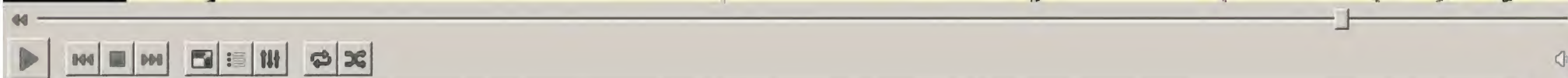
Time

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Message Time: @ 04:47:54 (1392392...)

AVL31123J3H-11724592032756475000





Time Selection (24 hour clock)

☐ Daylight Savings

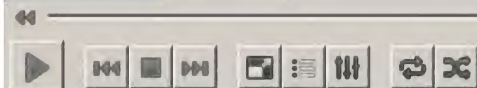


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Message Time: @ 04:43:42 (1392392)

AVL3505T3-1171268303300094900



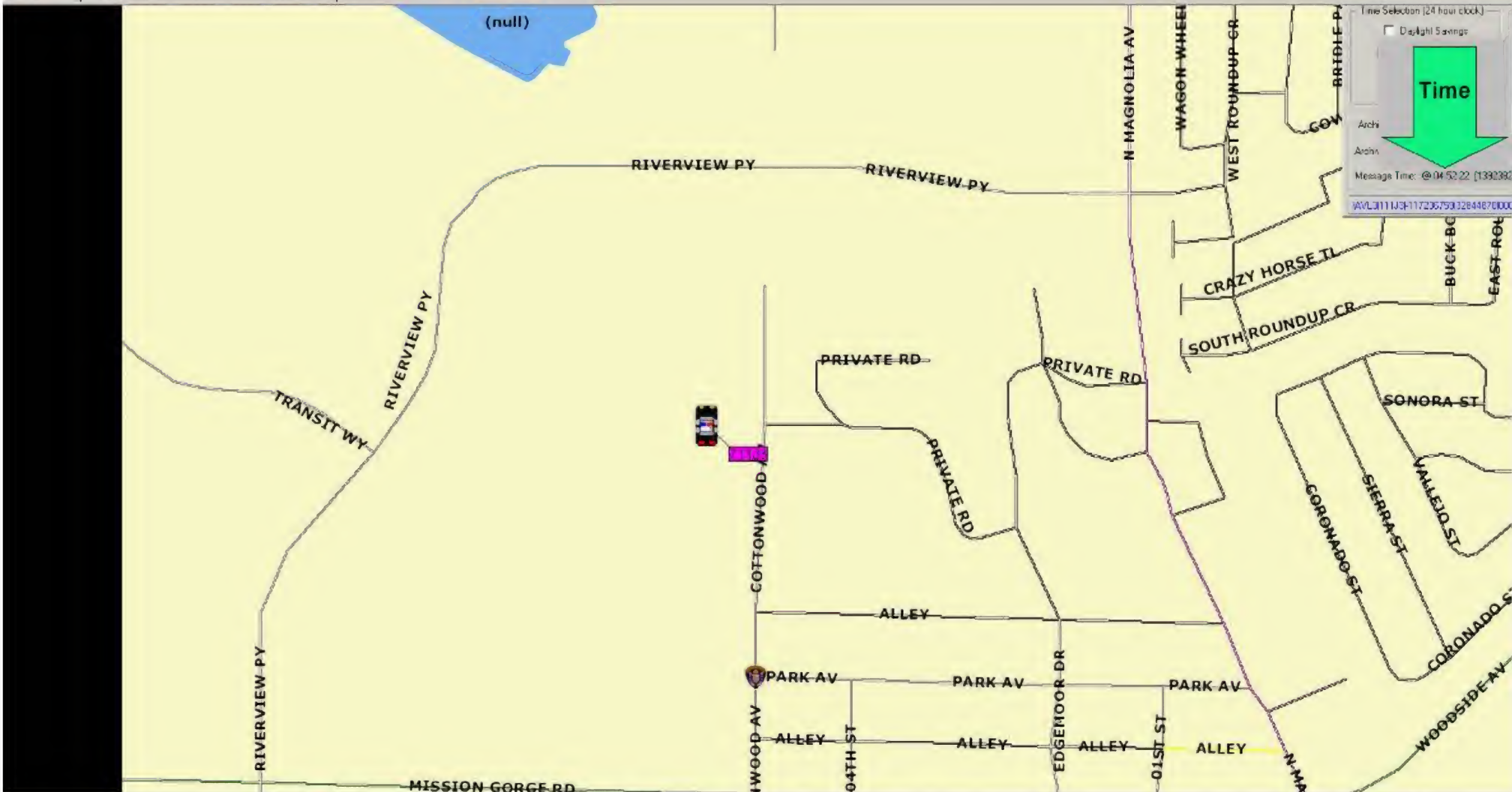
711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)
☐ Daylight Savings
Time
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Message Time: @ 04:43:36 (1392392...)
AVL3111J3F11723675032844670000



711J3 02042013 0400 0500.avi



Time Selection (24 hour clock)
☐ Daylight Savings
Time
Archi
Archi
Message Time: @ 04:52:22 [1392392...]
AVL3111J3F1172367593284487000

